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LETTERS OF VERAX

ED FROM MANCHESTER WEEKLY TIMES

LETTERS OF "VERAX."





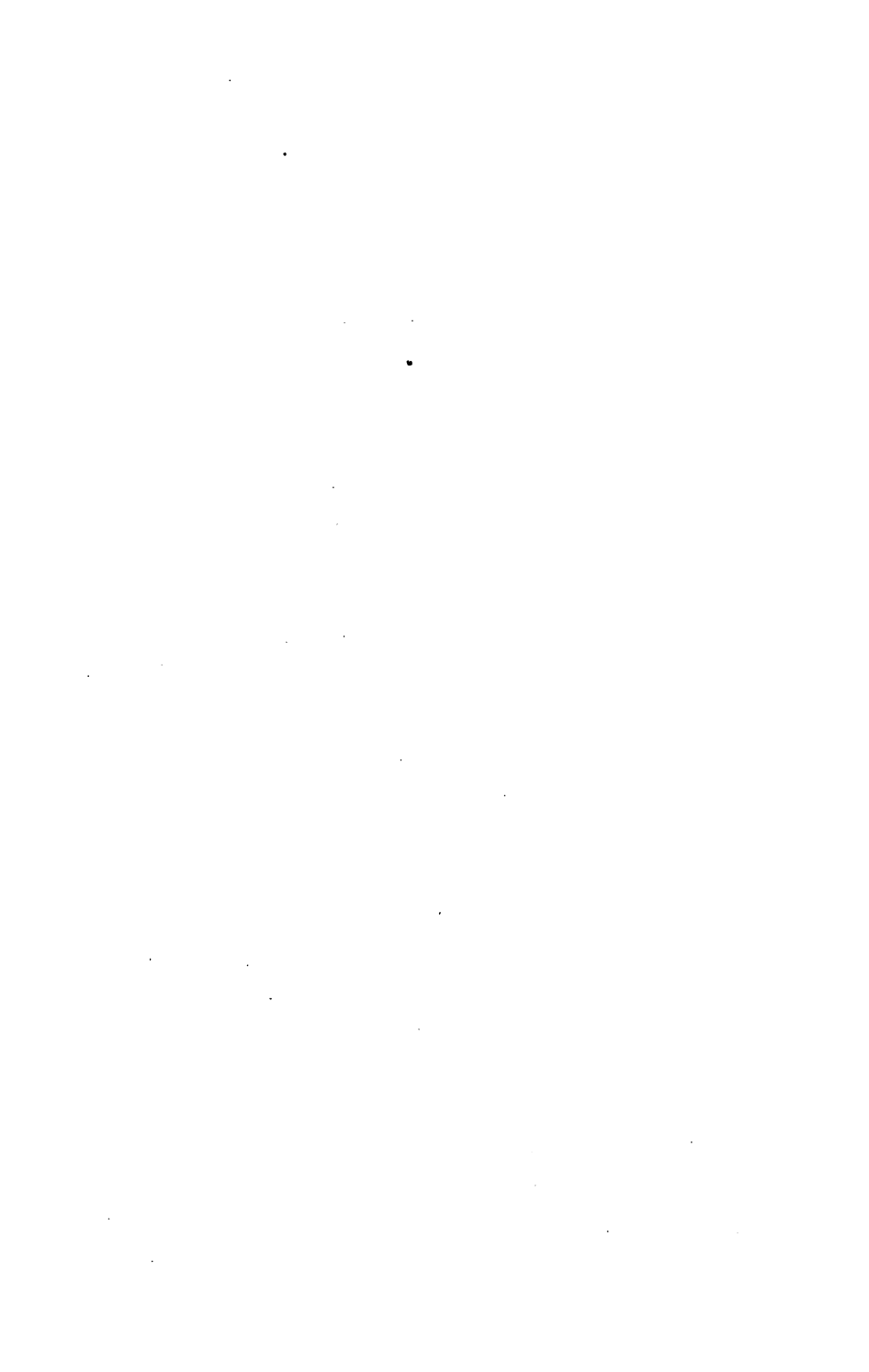
LETTERS OF "VERAX."

[Reprinted from the "Manchester Weekly Times."]



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VERY few who can be expected to honour the following letters with a perusal will need to be initiated into the rather open secret of their origin. They have been selected from a considerably larger number which were published in the *Manchester Weekly Times*, and republished in the *Manchester Examiner and Times*, during the year 1877 and January, 1878—the year's limit having been overstepped for the purpose of including the five letters on the Biography of the Prince Consort. If it should be said that, having figured in two newspapers of no inconsiderable circulation, they may fairly be held to have already enjoyed all the publicity to which their merits entitle them, the author could not conscientiously say one word in reply; but the truth is that he has been reduced to an emergency too flattering not to be patiently endured, and plied with suggestions which human frailty can hardly be expected to resent or to resist. The result is that he succumbs, and assents to their republication in the present form, modestly and frankly, but without apology.

One word of explanation. The letters deal with topics with which the public were familiar at the time they were written, and it has not been thought necessary to encumber them with dates and references. Some care has been taken to set forth fully in each letter the facts and statements to which its criticisms refer, and this will perhaps be deemed sufficient. As regards one letter, that on Theatre-going, the author regrets that he cannot reproduce along with it the able reply it called forth from the reverend gentleman whose discourse supplied the text, and he has omitted from the present issue one or two sentences which were perhaps chargeable with undue though not intentional severity.

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LETTERS OF "VERAX."

CHURCH DESCENT.

ONE of the advantages of having two Bishops in the same neighbourhood is that there is sure to be an occasional "kick-up" between them, and that in the course of the fray, as is well known to happen in a parallel case, honest people are likely to come by their own. I see from the daily papers that such an accident has just happened between Bishop Fraser and Bishop Vaughan, both of them excellent prelates, I dare say, but whom I love better as men than as prelates. This latest "row" seems to have been begun by a sermon of Bishop Fraser's, wherein the Bishop declares that the Roman Catholic Church is a comparatively modern invention, that its characteristic doctrines are all new, that Popery sprang up about the time of Gregory VII. (1073), and that the Church of England comes down in a continuous line from the earliest ages of Christianity. Bishop Vaughan, preaching last Sunday in the Church of St. Joseph, vigorously assails all these assertions, but especially the last. He denies that the Church of England has come down in a continuous line from the earliest ages of Christianity, and maintains that it is only a

Parliamentary Church, dating from the time of King Henry VIII. The Bishop winds up, after his logical method, with four conclusions numbered *seriatim*, one of which is "that the Roman Catholic Church in this country, in all her poverty, is the only lineal descendant of the Church of St. Gregory and St. Austin, and of the people of England for a thousand years." The Bishop's way of proving this is a very simple one. He shows that people who lived in the dark ages, say from A.D. 500 to A.D. 1500, believed and practised a great many things which are not so believed and practised by the Protestant people of to-day, while they are so believed and practised by the Roman Catholic Church. *Ergo*, says the Bishop, the Roman Catholic Church in this country is the only lineal descendant of those old believers and practisers. I trust the Bishop will pardon me, but I do not see the force of his logic. What is "lineal descent?" It is a phrase borrowed from the definitions of genealogists, as applied to the physical production of one human being by another, and describes an uninterpreted succession from father to son. A grandson may differ in all imaginable respects from his grandsire. One may have red hair and the other dark. One may be short-legged and the other long-legged. One may have been round shouldered, while the other is straight as an arrow. But, while one is grandson to the other, it is absurd on account of these differences to deny that the former is lineally descended from the latter. Let us now lengthen the line, and instead of three generations take in thirty or sixty. The difference between the individuals who stand at either end of the chain is greater than ever, so

great that it is hard to think they can belong to the same stock. One of them, perhaps, painted his body all over a blue colour, wore a skin round his waist for decency, and indulged occasionally in a feast on roasted man. The other dresses in broadcloth, wears a "chimney pot," goes to evening parties in swallow tails, and scrutinises the *menu* in search of the latest-invented delicacies. The differences between this gentleman and his savage progenitor are enormous, yet nobody would say that the one is not the lineal descendant of the other. We might suppose that some of the earlier descendants of the original progenitor emigrated to some distant isle, where they kept up the old family habits down to the present day, and that it would be possible to find some of them now, dressed like him in war paint and skins. They would be more like him in all respects, but they would not be a whit more entitled to call themselves his "only lineal descendants" than the very different gentleman whom I have just sketched. Let me now apply this illustration to the case in hand. The English Church in the year A.D. 800, or thereabouts, certainly believed a good many things which the English Church of to-day does not believe, such as purgatory, miracles, the worship of saints, &c. At the former period it would not have been difficult to get people to believe that a man had walked a mile carrying his own head under his arm. Some such miracle is alleged to have actually occurred, and pictures representing it—painted, of course, a good deal later—are exhibited in some places. But it would be difficult to get people to believe such things now. Yet

the Church of England of to-day, and all Protestant Churches in the land, are none the less lineally descended from the Church whose members credited such fables. The secular events and institutions of to-day are "lineally descended" from those which happened or were established when our German fathers worshipped in the pine forest, or Roman generals went in triumph to the Capitol. Some institutions which once existed have been thrust aside and are forgotten; but those which succeeded in their place were the offspring of historical antecedents and conditions already in existence, and such antecedents and conditions were the actual upshot of the institutions thus thrust aside. It is so in ecclesiastical affairs. Paganism was superseded in this country by the introduction of a higher and more powerful system of belief aided by political influences, and from the Christianity then imported the Christianity of to-day comes down. It may be said that the lineal descent of opinion is a different thing from the lineal descent of one human being from another, and so it is, but in all essential respects there is a descent in one case as well as in the other. Take the body of reformation doctrine as we find it in Luther's hands. There is not one of these doctrines which cannot be shown to have existed in some portion of the Christian Church at some period or other of its history. His great doctrine of justifying faith, the "article of a standing or a falling Church," is an echo from the writings of St. Augustine (of Hippo), and, so far as it is characteristic of Protestantism, it was thrown into prominence by a reaction from the opinions then generally taught. But reaction is as

true a parent of opinion as development. Both processes equally bring the new opinion into the world, and are its real progenitors. Now let us return to our two bishops. Is the Catholic Church in England of to-day lineally descended from the Catholic Church in England of, say, the eighth century? Undoubtedly. Is it the only lineal descendant of that Church? Undoubtedly not. The Church of England has just the same fatherhood, though it has altered its dress and changed its manners. The same may be said of every religious denomination in the land, from the Presbyterians in the North to the Primitive Methodists of the South. All trace their descent through the same historical channel. All are in this sense the children of the same mother. There are enormous differences between them, as there are between our cannibal ancestors and the Bond-street beaux of half a century ago, but the line of ancestral filiation is just as unmistakable in the one case as in the other. We no longer believe that any saint, however holy, can carry his own head under his arm, but our beliefs have a distinct historical connection with those of the people who did believe that such things were possible by the help of Heaven. The descent has not been uniform. It has been influenced from without in various ways. There have been the laws of development, as explained by Dr. Newman; there has been the tendency to revert to primitive types, as unfolded in physics by Mr. Darwin; there are the well-known laws of intellectual action and reaction, and there is the influence of original documents and of criticism. But in all cases the historical link with the previous doctrine is

not destroyed. Though the old doctrine is clad in skins and the new in broadcloth, the lineal descent is the same. The Parliament of to-day is the lineal descendant of the Witenagemot of A.D. 800, and the manifold Protestantism of to-day is the lineal descendant of the Church of the same date. Thus both bishops, together with all the Nonconformist ministers within their dioceses, descend from the same stock, the only difference between them being that, whereas Bishop Vaughan adheres to the old beliefs and practices, the others have altered them considerably, and, as most people think, for the better.



CONSECRATED GROUND.

AMONG the mild superstitions which still linger in England, there are perhaps none whose anti-social tendency is more to be deplored than that which sets up some mysterious difference between "consecrated" and "unconsecrated" ground. The speech of the Duke of Richmond and Gordon on the new Burial Bill introduced by the Government is full of it, and the ratepayers throughout the country are about to be saddled with enormous expense in order to keep up the supposed distinction between a handful of earth in one part of a parish and a handful of earth in another. It is difficult to look with patience upon the arrangements of the new cemeteries which have been opened under the recent Burial Acts. On approaching them one usually sees three mortuary chapels rearing their rival vanes to heaven, reminding us that Christians hate each other so intensely that they cannot celebrate their funeral rites within the same pile of stone and mortar, but must insist upon having, as it were, separate gateways to the other world. On entering the enclosure, we find the ground laid out to match. It is separated into three divisions. The one in the middle is "consecrated" ground, reserved for those who are buried according to the rites of the Church of England. One of the remaining divisions is also "consecrated;" but the imparted virtue is of a different flavour, and none rest there who have not been the faithful children of the Pope.

1

The third section is "unconsecrated." It remains just as the masons and the landscape gardeners left it, and is appropriated exclusively to the Dissenters. They, it is true, belong to many sects ; but with all their failings they have at least the social virtue of being able to sleep their last sleep within the same common enclosure, instead of giving one another the "cut direct" on the road to Paradise. The difference between consecrated and unconsecrated ground may seem to be merely fanciful to the impartial observer, but it is of extreme actuality and importance to many excellent people who have not ceased to reverence the spectres of the nursery. They have learned with shuddering horror that those who die unbaptised or excommunicated, or who have laid violent hands upon themselves, are not permitted to be buried in consecrated ground, and hence they naturally infer that such ground must have peculiar elements of sanctity in it, and that unconsecrated ground, in addition to its chemical compounds, must possess some super-sensual affinity with damnation. Our poor friends who hold this view are not quite accurate. That which is forbidden to persons dying in the circumstances just described is simply Christian burial, that is, burial with Christian rites, though no doubt at one time burial in consecrated ground was also forbidden, as is clear from the old practice, now happily obsolete, of burying one class of unfortunates at a place where four roads met, and with a stake thrust through the body. But the common law has stepped in to save us from the tender mercies of the Church, and though clergymen are tightly tethered to the burial service,

every parishioner has a right of burial in his parish churchyard. In former times even murderers were not deemed to have disqualified their bodies for interment in consecrated ground. Why should they? They had probably received the Sacrament just before execution; they were therefore within the pale of the Church, and were entitled to all its privileges. But wherein does the mystic virtue of consecration reside? It cannot be of a very diffusive or penetrating quality, or it would permeate through or underneath the slight fences or mere surface lines which in most cemeteries are all that keeps the two sorts of ground apart. On the other hand, it must be something real, or bishops—some, at least—would not treat it with such profound respect. In one cemetery I have in view, the consecrated and the unconsecrated portions are merely separated by a broad road leading to one of the mortuary chapels; but a bishop, who had to go along that road on a public occasion, took pains to walk, not in the middle, but close to the consecrated side, either, one may suppose, in order that no vaporous defilement might reach him, or that the sun might not cast his shadow in an unconsecrated direction. Whatever the virtue may be, it is amenable to ecclesiastical control. It may be wholly banished from a given cubical space by the orders of a bishop. This has recently been seen in a case which occurred at Montreal, and excited much attention at the time. A Roman Catholic gentleman named Guibert had been excommunicated for belonging to a Club which had in its library certain books condemned by the Church. He had committed no worse crime than

Cardinal Manning is guilty of in being a member of the Athenæum Club in London, but the Cardinal is not excommunicated; that makes all the difference. M. Guibert died while under the sentence of excommunication, and the Archbishop of Montreal refused to allow him to be buried along with his family in consecrated ground. M. Guibert's relatives went to law, and the case was carried on appeal to Westminster, where it was decided that he had a right to be buried in the ground in question, though the clergy were not bound to bury him. There was an immense uproar in Montreal when the decision became known. The Catholic population resolved that the funeral should not take place, while the civil authorities were resolved that it should, and sent for a regiment of soldiers to preserve order. Everybody expected riot and bloodshed, but the Archbishop disposed of the difficulty in a trice. He published a decree of some sort declaring that the bit of ground, some ten feet by four, in which the excommunicated man was to lie, had been deprived of all the virtues of consecration, and was no better than the same cubical space in one of the streets of the city. So we see that although the consecrating virtue pervaded all the rest of the churchyard, coming up, on all its four sides, to the grave in which poor Guibert's bones were deposited, it retired from the interdicted spot at the Archbishop's order, and kept obediently aloof. How is the virtue conferred? The Roman Catholics, at all events, do something as a means of conferring it. They usually gather a few relics, such as the bones of some holy man or men who died perhaps a thousand years ago, and place them either per-

manently or for a time in the cemetery to be consecrated. From these venerable bits of broken skeletons the mystic virtue may be supposed to spread till it reaches the boundary walls, where it stops. Bishop Vaughan, on a recent visit to Italy, succeeded, by the special favour of the Pope, in collecting a few such old bones for the purpose of consecrating the new cemetery at Harpurhey, where they were piously deposited. The Church of England, though it makes much of consecrated ground, has no Consecration Service. Not a word on the subject is found in the Prayer Book. Still, as it is desirable to create so valuable a property, which gives an important monopoly to the priesthood, and harmonises well with their ghostly pretensions, each Bishop makes up a service for himself, repeating a prayer, or some devotional formulary, as he walks round the boundaries. Prayer is probably quite as potent as relics, for if there be any virtue imparted it must come straight from Heaven. But it is very difficult to bring any theory of communicated virtue into harmony with sentiments recently uttered by the Archbishop of Canterbury. He made the alarming statement that our churchyards in country places as well as in towns have been "deseccrated,"—that is, rendered the reverse of consecrated, and therefore the same as unconsecrated, or rather worse—for the last three hundred years, ever since the time of Shakspeare. The poet had seen the bones of persons long since buried lying about loose in the churchyard, and worthless people making use of such bones as were handiest for the purpose, such as arm or leg bones it is to

be supposed for playing a game at "loggats," *i.e.*, kittlekins, a game now obsolete, something like "bandy." The fact of these bones lying about and being subjected to such base uses, according to the Archbishop, "desecrated" the churchyard, and into such a state of desecration, or unconsecration, nearly all the rural churchyards of England have fallen for hundreds of years. Here we do get a glimmer of common sense. To consecrate a thing is to devote it to some special purpose fully and exclusively. We only speak of consecration where the purpose is solemn and religious, but the essential idea is still the same, *viz.*, the setting apart of the thing consecrated to the purpose which the consecrator has in view. We need not dismiss the religious idea from the consecration of our churchyards or cemeteries, for religious thoughts naturally associate themselves with the burial of the dead ; but consecrated ground is simply and solely ground set apart for burial purposes, dedicated, made over to, and wholly appropriated for, that one end. In this sense, the only rational one, the only sense really recognised by law, though clerically-minded legislators talk as if something else were meant, and the sense, as is clear, which the Archbishop of Canterbury had in view ; in this sense any cemetery established under the Burial Acts is as truly consecrated as any parish churchyard. All besides is mere sacerdotal mystery and nonsense. Nevertheless we need not expect to see the separate chapels done away with in our cemeteries. Social divisions are vested interests, and, either in cash or credit, they pay too well to be abolished.


THE QUEEN'S REFUSAL.

THE Queen's refusal to visit Manchester in connection with the opening of the New Town Hall is a puzzle to everybody. It seems so ill-natured, so rude, so capricious, so insulting, and, from the loyal point of view, so wantonly mischievous, that I find it hard to reconcile the proceeding with Her Majesty's established reputation for discretion and good taste. The official reply, written, of course, by the Earl of Beaconsfield, whose signature it bears, is, if possible, an aggravation of what, in the case of a private person, and not of a Sovereign whom we are bound to respect, I for one should regard as a piece of outrageously bad manners. It sets forth the "earnest desire of the Corporation and citizens of Manchester that Her Majesty might honour the city by opening the Municipal Palace now in process of completion;" it then tells us for our consolation how "the Queen was graciously pleased to refer to the satisfaction Her Majesty derived from a previous visit," and winds up by expressing Her Majesty's regret that, "however desirous of complying with the wishes of the Corporation, it is out of the power of Her Majesty to be present on this interesting occasion." For this note the Corporation had to wait three months. All through December, January, and February not a word was heard of the letter which the Mayor wrote in November. The Town Clerk had at last to approach

the Prime Minister through his private Secretary and beg for the civility of a reply. At last it came. Lord Beaconsfield is studious of times and seasons. In writing a letter some years ago to a clergyman on Church topics he selected Maunday Thursday, and in replying to the Town Clerk of Manchester after three months' delay he chose for his date the First of April. At one period during this interval it was confidently believed, on what appeared to be sufficient grounds, that the Queen would come, and that everything was settled except the day. This was the impression of the Town Clerk himself, so much so that, great as was his "regret" at the Queen's refusal, it was not greater than his "surprise." As Lord Beaconsfield is responsible for the composition of the note, I suppose I am free to express my regret that it is pervaded by a tone of insincerity which he hardly affects to conceal. The writer seems to be making faces at us all the while, and employing his literary ingenuity to point the refusal with a sneer. What have we done that the Prime Minister should say to us in effect, "You grand people shall have a slap in the face for once?" As he puts it, we are entitled to doubt whether the Queen derived any satisfaction from her previous visit to Manchester, or whether Her Majesty's reference to it sprang from any ineffable sense of gracious pleasure. The precise extent to which either the one feeling or the other was experienced in the Royal breast is to be measured by the curt refusal to comply with the loyal wish of the Corporation. When we are told that it is "out of Her Majesty's power" to grant the coveted favour it is unavoidably suggested that the inability is moral ; that

in short the Queen cannot come because she won't. That is the prose of the matter; the parsnips *minus* the butter, and we must make the best of it. Still, it is an ungracious thing to do. Her Majesty is one of the few persons in the world to whom the privilege belongs of gratifying millions of people at a scarcely appreciable sacrifice of their own convenience. We should not dare to ask her to come all the way from Windsor solely for the delectation of our loyal feelings. In these days, when Sovereigns have ceased to be heroic, that would be too much to expect. But the Queen travels once or twice every year to Scotland, and on the way to her Highland seclusion cannot very well avoid passing within a few miles of our city. The sacrifice we aspired to exact involved nothing more burdensome than the acceptance for two nights of the hospitality of any one of half a dozen noblemen who would only be too proud to place themselves at Her Majesty's service, an hour's drive through our streets, a walk from the steps of the Town Hall to the throne erected in the sumptuous interior, and the trouble of listening to a dutiful Address which the Town Clerk would not fail to read in his silveriest accents. Three hours would do it all, and the excitement would not be greater than that which Her Majesty has to bear whenever she opens Parliament in person. As to the question of "excitement" I am rather sceptical. We are apt to impute our own feelings to superior personages, forgetting that they are to the manner born, that homage surrounds them from the cradle, and that they possibly feel no greater emotion when surveying a

multitude of hurraing lieges than a cook does when she finds her kitchen floor covered with blackbeetles. This is one of the illusions to which our lower rank exposes us, and we ought perhaps to be grateful for any accident, however unpleasant, which lets in upon us the cold light of truth. I fear, however, it will be difficult to get rid of the idea that we have some sort of claim upon Her Majesty. Manchester is the metropolis of Lancashire, and Lancashire, with its teeming population of busy workers, might be described by an enthusiastic historian as one of the brightest jewels in Her Majesty's crown. Here are millions of people whose industry has made the name of England famous to the ends of the earth; whose patient toil creates the wealth which maintains our armies and navies, and whose inbred allegiance is one of the pillars of the throne. Loyalty like theirs is cheaply rewarded by a glimpse of their Sovereign once in twenty years. Moreover, what is the modern theory of monarchy? The Sovereign reigns but does not govern. The governing part of the business we could do as well without Royalty as with it, and in this department we do virtually dispense with it already. The chief function left to Royalty is that of serving as a rallying point for national sentiment, a brilliant centre round which our affections may gather. If Royalty loses this function its game is played out, and it is on the road to extinction. Well, perhaps on this point, also, we are in need of some instruction, and ought to be thankful for any lesson, however rude, which sends us along a manlier track. It may be useful to remind us that our loyalty may be too effusive; that the



sentiment which we in our simplicity imagine to be reciprocal is really one-sided, and nothing better than a dream of our heated imagination. At all events we have made our poor but sincere offering at the shrine of the constitutional divinity, and have got nothing but a snubbing for our pains. Who is the real author of this repulse—the Queen or Lord Beaconsfield? Nobody, of course, will ever know; but I for my part shall impute it to both. There can be no doubt that if Lord Beaconsfield had advised Her Majesty to accept the invitation she would have complied at once; but if the Minister had no advice to offer, or even if he had thrown the wettest of blankets over the invitation, in a matter of this sort, so distinguishable from State policy, so absolutely apart from politics, so exclusively one of personal interest, the strictest constitutionalist would have absolved Her Majesty for venturing to have a will of her own. What can have offended Her Majesty? Is it possible she has heard that we have set up a statue of Oliver Cromwell, and that the costs have been defrayed by the wife of the Mayor? Or is it that petition which was presented to Parliament by the Corporation against the assumption of the Imperial title? We are driven to all sorts of conjectures, because it is plain that, for some reason or other, the Queen did not choose to overrule Lord Beaconsfield's advice, and come in spite of him. As regards Lord Beaconsfield's share in the transaction there can be no doubt. If he had advised Her Majesty to come she would have come, and we may therefore indulge in our just resentment without touching the throne. His Lordship alone is responsible for the Queen's

refusal, and we have to regard his conduct as the compliment he chooses to pay to the Corporation and citizens of Manchester. Of course he owes us no goodwill. The majority of the Corporation are Liberals, the Mayor is a Liberal, and we have lately changed our political front by returning a Liberal representative to Parliament in a straight battle. There are hints of other things upon which I forbear to enlarge, though it is well known that representations have been sent up to headquarters from Tory busybodies aspersing the reputation of the Mayor, and disinterring incidents forty or fifty years old for the purpose of dissuading the Prime Minister from conferring upon him any of the incidental honours of a Royal visit. There is nothing in these insinuations of which Mr. Heywood need be ashamed. He happened to stand in the vanguard when a free, unstamped press was being battled for, and, like other men, he had his legal rubs, which are now, if remembered at all, to be remembered to his credit. He has earned the respect of all classes of his fellow-townsmen by a life of unwearied devotion to their interests, and can afford to treat with contempt the futile effort made to affront him by a successful adventurer, puffed up with the pride of power, who might well be thankful if his past career yielded a record as honest and as honourable. On this occasion Manchester associates itself with its Chief Magistrate, and proudly adopts his reputation as its own. In the opinion of the citizens of Manchester the man whom they have raised to the highest post of honour and confidence is capable of deriving but slight additional dignity from the patronage of

Prime Ministers or the favour of the Crown. At all events he is the head of our republic, and, after the hints we have received, it will be our own fault if we are so far wanting in self-respect as to lay ourselves open to a similar repulse. Our duty is plain, and it has been already acknowledged. We must assign to the Mayor that place in the opening ceremony which in our fond loyalty we offered to the Queen, but which it is "out of the power of Her Majesty" to assume. No doubt we shall manage to get our New Town Hall opened without the assistance of Royalty. The operation will cost us less, and it will be seasoned with the quiet assurance that we are able on a pinch to help ourselves. Perhaps, too, we shall be all the better hereafter for this shock of the Windsor shower bath. It will help to brace up our political nerves, and serve as a tonic to our civic virtues; in short, it will make us less like flunkies, and more like men.



ARCHIMAGO.

Is a famous poem which Englishmen still love to read we are told how Una, the peerless impersonation of purity and truth, fell into the toils of a wicked Enchanter and got separated from her Red Cross Knight. We are told also how the Enchanter, by the help of his magical arts, transformed himself into a cunning counterfeit of her true Knight, and betrayed the innocent lady into many misfortunes. Now, to my mind, all great poets have in them something of the nature of a prophet. Their genius detaches them from the temporary accidents of time and place, and in the ideal sphere which they inhabit they resemble the ancient seer

Whose comprehensive view,
The past, the present, and the future knew.

It is a part of their gift to discern the future in the present, and to turn the various topics on which they treat and the various characters they trace into living symbols of what will be hereafter. By the aid of this clue we easily recognise in the subtle Archimago delineated by Spenser the prototype of a living statesman who has beguiled to her hurt our English Queen.

In mighty armes he was yclad anon,
And silver shield ; upon his coward brest
A bloody crosse, and on his craven crest

A bunch of haïres discoloured diversly.
Full jolly knight he seemde, and well address ;
And, when he sate upon his courser free,
Saint George himselfe ye would have deemed him to be.

I abate the epithet "coward." Here the poet was mistaken. But in all besides the resemblance is perfect. The Christian metamorphosis, the assumption of the "bloody crosse," the way he poses as the Champion of England, down to the "bunch of haïres," which can be nothing else than the curly lock immortalised by the pencil of *Punch*. And what a game he has played our royal Una ! True to her, doubtless, but, as another poet has it, "falsely true ;" true, that is, on a measured scale, and in relation to the various parts of the drama elected to be played out ; relatively true, not absolutely, not with that whole-hearted devotion which utterly loses self in abandonment to the permanent interests of the object to whom fealty is sworn. Lord Beaconsfield carried his personality into the Premiership ; all his loves and hates, which are as many and as capricious as any woman's. Hence his rule is more of a personal rule than any other we have known in recent times. His tinsel love of glare and glitter is reflected in every principal act of his administration. If his opinions are to be gathered from his works, he brought to the task a thorough contempt of the British Constitution, which he styles "Venetian." He looks upon Parliament as an intrusive body thrust in between the Sovereign and the people. His version of a responsible Government is that Ministers have divided among them the prerogatives of the Crown, and shorn it of

its ancient lustre, which he would gladly restore. His Ministerial theory is that Ministers are the personal servants of the Crown, instead of being the elect of possible statesmen, chosen to discharge their high functions because they are acceptable to the majority of the nation, to whom belongs the right of discarding them when they are deemed unworthy of further confidence. As a Prime Minister, Lord Beaconsfield has always shown a disposition to overstrain the personal relations which necessarily exist between the Sovereign and her principal adviser. To have heard him when he made his explanation to the House of Commons on his first appointment one would have imagined that the Queen had said to him, "Mr. Disraeli, you are the statesman for whom I have been waiting and sighing these thirty years. All previous Prime Ministers I have been constrained to accept at the dictation of people who like to consider themselves my masters ; but you are my particular choice ; in you I perceive the gleam of a sympathetic nature which thoroughly accords with my own, and I invest you at once with all the attributes of delegated sovereignty." This was, no doubt, an illusion on the part of the then Mr. Disraeli, but it is an illusion which has clung to him, and under the influence of which he has acted from that time to this. We are bound to believe that it was he who dangled the bait of an Imperial title before the Queen. This was the first grand escapade into which he led her. No doubt he saw enough in the circumstances of the Royal Family to make him believe that the suggestion would not be disagreeable. The head of the House of Brandenburg, which had

its former rivalries with the House of Hanover, had become an Emperor. One of the Queen's daughters is an Imperial Princess, and will some day be an Empress. One of the Queen's sons had married the daughter of an Emperor, and brought her Imperial title home with her, giving rise to distracting questions of precedence in Royal Households. Among the great crowned heads of Europe the majority are Emperors, and the only respectable king of first rank remaining is the King of Italy, who was a nobody twenty years ago. Lord Beaconsfield saw his opportunity, and said, "Madam, why should not your Majesty become an Empress? You reign, not only over these small islands, but over countless colonies and settlements all over the world, and especially over the vast Dependency of India. Your Majesty is of right an Empress already. Your Majesty is the successor of the Sovereigns of the Mogul dynasty, who were Emperors of India in their day, and it is really a derogation from your Imperial rank not to call your gracious self by the title which has fallen to you by the favour of Heaven." Such was the temptation which our political Archimago softly and daintily spread before the eyes of the Queen. As her constitutional adviser he could assume to press upon the Queen as a public duty the adoption of a course which he knew to be gratifying to her personally. We have no right to reflect upon Her Majesty for accepting the advice so offered, but what is to be said of the reckless temerity of a Minister who so beguiled his Sovereign to the brink of a precipice which might have been fatal to the Throne? Thanks to the efforts of the Opposition, seconded

by the disgust of the nation, the proposal to invest the Queen with an Imperial title was shorn of its perils. The use of the title is restricted to India, and is well and thankfully forgotten, but we do not owe this to Lord Beaconsfield. If Parliament had accepted his proposal as it came from his hands the Imperial title would have been Her Majesty's ordinary designation. As the bigger title would have eclipsed the less, we should henceforth have been governed by Empresses and Emperors, and the fine old title which has been worn by the Sovereigns of England for a thousand years would have become virtually extinct. I for one do justice to the dexterity and the fine flattery of the proposal. I recognise in it a perfect blossoming of the art by which the responsible Minister of a free nation can merge himself, if he so chooses, in the obsequious courtier, and the ringing notes of honest counsel can subside into the lispings whispers of sycophancy. But what I can never forgive is the reckless imprudence of the proposal, and what I can never explain is the consistency of making such a proposal with the oath which Lord Beaconsfield has taken as a Privy Councillor to render true and faithful advice to Her Majesty on all occasions. Instead of suggesting it, every dictate of loyalty should have led him to resist it if it had been suggested. He should have said at once, "As Queen of these realms your Majesty is the equal of any Sovereign in the world, but it is my duty to warn your Majesty that it is very doubtful whether the people of England will long submit to be ruled by Emperors." And this brings me to the smaller but still memorable piece of disservice for which Lord

Beaconsfield has just made himself responsible, in advising the Queen to reject the loyal invitation of the Mayor and Corporation of Manchester to honour them and us by opening the New Town Hall. In one point it resembles his Imperial Titles escapade. Both alike are manifestations of "flunkeyism," and both alike in different spheres have subjected the Queen to unpopularity for the gratification of a Premier's whimsies. Mr. Alderman Heywood's disclosures place the fact beyond doubt that it was at one time the Queen's intention to revisit her loyal subjects in this city. There was the desire and there was the purpose to come, but they were set aside by the subsequent representations of the Premier. How natural that the visit should have taken place, how easily everything could have been arranged, how much of innocent pleasure and of public benefit would have flowed from the Queen's gracious consent. The generation of to-day garners up amongst its choicest memories the visit of 1851, the only visit the Queen ever paid to us as a community, that of 1857 having been made for the purpose of witnessing a sight which could not be seen elsewhere—the Art Treasures collected at Old Trafford. The former visit was made to us, and went to our hearts. Thousands and thousands of the Sunday school children who then welcomed her at Peel Park are now the fathers and mothers of families, and many a time have they told their children of the rare treat they had once in their lives when the Queen and the Prince Consort drove slowly through the juvenile multitudes and listened to the song which could not be got through for enthusiasm, but broke down in one tremendous cheer.

Another generation has now risen up to carry on the work of the coming time. One would say that those who are personally interested in the continuance of the Monarchy ought not to estimate too cheaply the character of the sentiments regarding it which will prevail through Lancashire for the next twenty years. In the present position of the Crown the tie between it and the people is one of personal affection or it is nothing. In the old coaching days nobody expected to have a visit from Royalty. The people heard how George III. walked about the Berkshire lanes and patted the cheeks of the good little children he met. This was all they could hope to know of their Sovereign, and a loyal imagination did the rest. But it is different now, when the Queen dashes from Crewe to Lancaster every year, and would only have to pause on her journey for six hours to afford unspeakable gratification to thousands. The Queen has done this for twenty years without once stopping. This year she has been asked to stop for once. A great occasion presented itself. The Town Hall, which stands as the majestic memorial of what Manchester has grown to be, and of the rank it holds in the civic hierarchy of England, was about to be opened, and the Corporation, with the wishes of two millions of people at their back, humbly besought Her Majesty to do them the honour of gracing the ceremony with her presence. Lord Beaconsfield advised the Queen to say No. This is all, but a good deal is crowded into that monosyllable. Another event is added to the stores of memory, and it will be remembered as vividly as that of 1851, but how much less

auspiciously for the growth of loyal feeling and for the interests of the throne ! The Tories are triumphant, but the Throne is a loser, and the Queen has been again betrayed.



SHOP RENTS.

THERE have been several audible groans from the shopkeepers lately over the rise of rents. Some of the complainants have used language which must be set down as a little too strong, though they are probably entitled to the plea that it was uttered in a moment of anguish and under a sense of wrong. There is a certain class of ejaculations for which one is hardly responsible. If you apply a pair of pincers to the thick of a man's arm he is sure to cry out, and I can well imagine that the torture chambers of the Middle Ages were filled with doleful music. The duty of being measured and accurate in speech could hardly be exacted very rigorously from a poor wretch whose thumb had just undergone a last squeeze, or whose shin bones had begun to crack when the thin end of another wedge was inserted in the fatal boot. We ought in fairness to give the benefit of the same rule to the struggling shopkeeper when he finds that another slice of his profits is to go next year into the pockets of his landlord, and if he speaks of himself as a slave and of his landlord as a greedy, grasping, and rapacious tyrant, we must not be too careful to measure how nearly he approximates to the sin of calumny. Before we condemn him let us listen to his story. "I took these

premises," he tells us—I select from a dozen narratives lying at my elbow—"some fifteen years ago. The rent was high for the accommodation, which consists of a room eight yards by five and a cellar underneath, but I hoped that by diligent attention to business and the strictest frugality I might be able to make a living. It was a serious venture for me, and many an hour did my wife and I spend in consultation before we decided to run the risk. I had enough capital to stock the shop, with a surplus to meet the emergencies incidental to a first start, and as an honest man my credit was good. Well, sir, the first year did not cover expenses; the second year my assiduity began to tell, and there was a balance at the end of it which went half way towards covering my domestic expenditure. I redoubled my exertions; I was behind my counter early and late and all day long, and I did not go without a reward. By the end of the third year a living was assured; in other words, I was able on my modest outlay to make both ends meet. Three years had thus been spent in making good my position to the extent of being able to earn a living, and as the next two years showed further signs of progress I began to consider the problem solved. Then came blow No. 1. My landlord must have heard or guessed that I had begun to float, and could bear a little extra weight, for at the end of the year I was served with a notice to quit, together with a hint from the agent that it would be withdrawn on my agreeing to pay a fifty per cent higher rental. What could I do? To leave would be to sacrifice the goodwill of the place, the fairly-earned result of my own efforts. If I went

elsewhere I should have to go through the same uphill work over again, with the risk of failure and bankruptcy. I was in the grip of a vice ; that is, I was in my landlord's hands, and had to submit. There is no use in spinning out a long and sad story. My rent has been raised three times since then, till it is two-and-a-half times as much as it was when I began, and my rates and taxes have more than increased in proportion. On the whole I pay to my landlord and the tax collector twice as much as I can afford to spend in maintaining my family. My function is merely that of a rent-earner. My life has to be spent in paying extravagant interest on my landlord's capital. You may fitly call me a mill horse or a galley slave, or anything else significant of endless toil and abject helplessness." This is the shopkeeper's story. Let us hope that it is slightly coloured, as some parts of it I suspect are, and that all cases are not quite so bad. Still, whatever abatement it may be necessary to make upon any particular narrative, it is certain that the very conditions of shopkeeping give the landlord a heavy pull upon his tenant. If a man does not like the house he lives in he can move into another at the expense of cartage and the cost of a few carpets and window hangings. But there are very few shopkeepers who dare leave their shops, unless it be to open a larger and more showy one in the same neighbourhood. The shop is the place where the money is made. It is probably advantageous for its situation, placed perhaps in one of the central streets, towards which the population flows daily by a sort of centripetal force. What is called the "goodwill"

of the shop is as much the shopkeeper's own as the extra produce of a farm, due to last year's plentiful manuring, is the property of the farmer ; but it would be almost impossible to detach the "goodwill" from the present premises and attach it to some other building a few streets off. Hence, as the shopkeeper cannot leave, the landlord may charge him what rent he likes short of the figure which would actually drive him out. The landlord is a partner in the business without risk, and is able to pocket all the profits made in it over and above the rate at which the shopkeeper would be likely to earn equal profits if he moved elsewhere. It is not surprising to me that the shopkeepers have found an analogy beyond the Irish Channel. What is there, they ask, to distinguish our case from that of the Irish tenant farmer? He takes his farm as we take our shop. He sinks his labour in it, and turns it perhaps from a mere bit of moorland into a series of blooming meadows and corn fields. Just in the same way we spent our toil in "building up a business," in so selecting our goods, and so attending to the wants of our customers, that hundreds and thousands think of our particular shop as the very place in all Manchester where their wants can be most easily and most cheaply supplied. The farmer and the shopkeeper are in the same boat as regards their rights and wrongs, but how differently are they treated by the Legislature ! The Irish farmer has made a commotion in the Empire. His hard fate has been sung in tragic strains by the most eloquent statesmen of the day, and the necessity of doing justice to him has made and unmade ministries. He has

succeeded so well that his landlord cannot turn him out of the farm without paying him damages for disturbance, and the goodwill he has acquired in his farm is recognised as a vendible commodity to be bought by the landlord or the incoming tenant. As for the poor shopkeeper, his landlord takes accurate measure of the goodwill in determining the rent he has to pay; the landlord charges rent for the very commodity which the shopkeeper has created. When the landlord turns him out into the street no statesman's sympathy is excited, and all he can do is to creep into some hole to die. Well, all this is very hard, but how can it be mended? It is of no use turning to Mill's "Theory of Rent." The case is unfortunately quite simple. When a person owns a commodity which another wants, be it money or buildings or land, he can ask what he likes for the use of it, and the person who wants it has the liberty of refusal if he does not like the terms. If he accepts the terms offered to-day, and the owner finds, a few years hence, that somebody else is willing to give half as much again for it, is the owner to be blamed for resolving to avail himself of the more liberal offer? A man has a thousand pounds to lend. He makes his bid in the market place, and somebody offers him the orthodox five per cent. But somebody else offers him seven and a half, with equally good security. Is it in human nature to reject the larger and take the less? The case of the shop is entangled with considerations springing from previous occupancy, and from the presumed share which the tenant has had in giving the premises their present value, but it would be difficult to make out precisely

what the share has been. It is not like so many thousand loads of manure, or so many hundreds of thousands of drainage tiles, capable of being counted and reckoned up at an exact figure. Probably four-fifths of it are due to situation, and this again has been determined by the growth of population, the set of town improvements, the increase of wealth in the community, and a variety of other things, which the tenant has done no more to produce than the landlord. There is an "unearned increment" in the question which the tenant fancies should be wholly his, while the landlord naturally holds a different opinion. Probably there is some abstract equity applicable to the question if it could be got at, but to get at it in all cases—for shopkeepers by no means stand alone, the same difficulty extending to all cases in which capital is lent and borrowed,—would require an enormous machinery, so vast and ponderous and at the same time so flexible and minute, that we can hardly conceive of it, much less try to create it and bring it into practice. As a matter of equity some persons contend that the State should acquire all landed property, let it out on equitable leases, and apply the rent to public purposes. On the same principles the State ought to take possession of all the shops in the towns, and all the dwellings throughout the country. It ought, in fact, to become the universal capitalist and lender, and all subjects borrowers. But if the State had all the shops in Market-street, I do not see what principle it could adopt in letting them other than the one now in force. The shopkeeper would not be allowed to pocket the "unearned increment" in the

value of his shop. The State would take that as its rightful perquisite, and apply it perhaps in payment of the National Debt. All the State could do would be to say of any particular shop, how much will you pay me for it, and knock it down to the highest bidder. The value of the shop, as of all other things, is precisely what it will fetch, and there is no other mode of determining it. I do not suppose that these reflections will be very consolatory to the shopkeeper, but he may be reminded that the evil of which he complains has a constant tendency to cure itself. If a particular street becomes a great centre of business all the adjoining property increases in eligibility for retail purposes. As rents rise every proprietor will do his utmost to turn his property into shops. There is no limit to this process till the suburbs are reached, and it is going on at such a rate in Manchester that the supply of shops at exorbitant rentals bids fair to exceed the demand. A few martyrs might sacrifice themselves with great glory for the good of the rest. If a dozen shops in Market-street could be kept empty for a year the effect upon every landlord's imagination would be most salutary. Perhaps shopkeepers might reasonably be asked to show more courage in opening up new quarters. A splendid shop in a poor district would be a novel sensation. The very boldness of the experiment would attract attention, and if the public once got it into their heads that high rents meant dear goods they would spontaneously combine to share in the landlord's profits. As for the landlord, awaiting the operation of a more stringent test, we will merely beg him to reflect that the rule of the market is not

necessarily the rule of morals, that he owes to his tenant perhaps more than his tenant is able to enforce, and that if he pushes his experiments upon the vitality of his tenants too far he may some morning find that he has killed the goose that laid the golden eggs.



THE RIDSDALE JUDGMENT.

THE questions involved in the Ridsdale Judgment render singular homage to the imaginative powers of man. They show, at least, what a wonderful thing the mind is, since it is capable of transforming by the mere play of its faculties the infinitely little into the infinitely great, and of seeing a universe of meaning in the colour of a dress or in the composition of a handful of paste at the bottom of a kneading trough. The French make it their boast that they alone of the nations are capable of going to war for an idea. It is a stupid boast—stupid, that is, so far as it claims any exclusive credit for the French. The truth is that we are all doing this same thing every hour of our lives. It is our ideas that plague us or bless us, that make us happy or unhappy, that we prate about and fight about from January to December. In the contentions which array nation against nation, which strew continents with slaughter and dye oceans with blood, ideas are always supreme. Honour, glory, security, or it may be ambition and revenge—these are the things for which heroes fight, and though no doubt they have their material correspondences in the outward world we look upon, for the most part they are mere stars that flare with blood-shot lustre in the empyrean of the mind. It is astonishing

to observe how arbitrary and how slight the connection between the idea and the outward object with which we choose to identify it often is. At one time "security" to British interests meant the possession of Dunkirk, or at all events the demolition of its fortifications. It is amusing to think, as we steam from Ostend to Dover, that the sleepy little port on our left in the midst of its shoals and sandhills, was once the Palladium of our British Troy. Our forefathers veritably believed that it was all up with England when we were chased from the last of our French possessions, the relics of the proud fabric reared by our Edwards and Henries, and those of a later age, with better reason, thought that our sun had gone down for ever when the Thirteen American Colonies revolted from our rule. To-day it is Antwerp or Constantinople, or the valley of the Euphrates, and a century hence experience will give to our posterity the cheap pleasure of laughing at our illusions as we laugh at those of our ancestors. In all these illustrations there are no doubt certain material relations suggestive of a certain line of ideas. This is enough. The mind takes up the slender thread, and by dint of the prodigious apparatus of a creative imagination which it calls into play, by its fears, its hopes, its susceptibilities, its general capacity for second-sight and ghost-seeing, does all the rest. We begin this game very early. I saw the other day a lad of six years of age leading a horse across the road to drink at a brook which ran hard by. The body of the animal was a walking stick, a bit of rabbit skin had been fastened at one end for a tail, and at the other an oblong piece of wood was nailed on, with one

nick cut in it for a mouth, and another to make a couple of ears, while two black eyes, inserted probably with the aid of the blacking brush, looked knowingly on either side. It was rather a rude piece of symbolism, but it answered to perfection. That horse, in the boy's imagination, had eaten every day for the last two years as much corn as would have kept one of Pickford's teams. That horse in its time had frisked over the meadows, and betrayed all the vices that can be bred in horseflesh. It had in it, if you only knew how to bring out its noble qualities, all the heroic temper of a Bucephalus, and all the fleetness of a Flying Dutchman. The African savage lives in a little world of superstitious imaginings, and the whole of that little world centres in the ugly fetish which he sticks up in one corner of his hut of reeds. Man is an animal fond of symbols. This will do for a description, though not perhaps for a definition, since it is impossible to say whether or not a like capacity extends to his less illustrious congeners. So we ride back on our hobby horse to the Ridsdale Judgment, which presents us with similar phenomena in a grander setting. I have read, and can well believe it, that no more important judgment was ever pronounced by the Judicial Committee of the Privy Council. It was big, for one thing, with the fate of the Established Church. Probably fifteen thousand clergymen, all of them presumably men of intelligence, and a large proportion of them trained at our National Universities, waited in suspense for the eventful morning which would bring the momentous tidings whether Ridsdale had won or lost. The State was not unmindful of what was due

to such an august occasion. The Courts at Westminster were stripped almost bare of judges, and some of the civil tribunals were suspended in order that a strong Bench of the wisest big-wigs in the land might listen to the pleadings in this great cause. Looked at in its material issues, what was it? The questions to be settled were the following. Question first: At which of the four sides of a table, or, supposing it to be placed against a wall, at which of the three available sides should a man stand? Question second: How ought he to be dressed while standing there? Question third: Must the bread used at the table be such as might be cut out of a four-pound loaf, bought at the nearest baker's, or will a mere stiffened paste of flour and water suffice, and, in either case, may it be round in shape or must it be square? Question fourth: Is it allowable to have two pieces of wood, placed transversely to each other, stuck up prominently in a place of worship? Such are the questions which a score of the most learned and most venerable men in England had to try, and the decision of which was awaited with breathless anxiety by hundreds of thousands all over the land. The Church of England is one of our oldest institutions, almost as old as the Throne, of which it is regarded by some as one of the strongest bulwarks. It is intimately connected with the land, the aristocracy, and the squirearchy of the country, and the efforts made to overthrow it for several generations have so far been made in vain. Yet it was confidently asserted that this venerable and stupendous fabric would be rent to pieces if the decision of the Judicial Committee were in favour of any side of the

table but one, or if it were held that the man who stood at it must be dressed in one way and not in another, or if it were held that mere flour and water would not do, but that bread of the sort eaten at our breakfast table was *de rigueur*. Talk of fighting for an idea ; here are ideas and nothing else. The material questions at issue are worthless and even ridiculous. It is hardly possible to state them gravely, and equally difficult to state them at all without seeming to treat with irreverence some of the most sacred themes that engage the religious affections of mankind. Our capacity for symbolism here shows itself on the grandest scale ; for with the apparently bald and childish questions of position and dress are linked two sets of thought that wander through eternity ; two different modes of regarding the nature and character of the Infinite ; two systems of the universe ; two philosophies of history ; two formulative principles of political philosophy ; two opposite schedules of human life ; and the way in which these questions are decided settles whether the State shall throw its vast influence into the one scale or into the other. The eastward position, the alb and chasuble and the wafer bread are the outward marks of a system which must embody a tremendous truth or a tremendous delusion. If what it sets forth is true, then we have amongst us a number of men who are placed in official relationship with the Most High ; who, by virtue of their office, alone have access to Him ; who are the channels through which the benedictions of Heaven are conveyed to their fellowmen ; who work a miracle when they approach the altar ; who forgive us our

sins and open Paradise to us. If these things are true, a multitude of other things which stand in necessary connection with them are true also. Men so placed are really Heaven's vicegerents, and ought to be our masters as well as our pastors. Human institutions ought to be moulded in deference to their authority, and the wisdom of statesmen, as well as the aspirations of patriotism, must become mute when they choose to speak. The pretensions of reason, which can soar by its own wings but a little way towards Heaven, must be held dutifully subordinate to the declarations of those who have the privilege of *entrée* into its innermost courts, and stand before us with an authority divine. If we once admit their claims we cannot stop within the narrow limits of Anglo-Catholicism. We cannot help applying logic to them ; and, following the inferences one after another, we are conducted straight to the Vatican, with its natural and supernatural orders of affairs, the latter supreme over the former, and One Man the divinely-appointed Autocrat over both, with all power given to him in Heaven and in Earth. Here is a tremendous issue to spring from preferring the western side of a table, and wearing a dress of white satin instead of one made of white lawn. The Judicial Committee of the Privy Council, I must say, have given a thoroughly English deliverance. The surplice alone is lawful, and the alb and chasuble must be discarded, two centuries of lawyers having so decided, and it being impossible to reverse their verdict without jeopardising even the rights of property ! The north side of the table is undoubtedly the place where the clergyman ought to stand, but if he can stand on the


west side, with his back to the people, so as not to prevent them from seeing what he is doing, the law will not interfere with him. Bread bought at the baker's, or made for home use, is the sort to be employed in the sacred offices of the Church ; but the use of another sort cannot be condemned in any particular case till its use has been proved, and this is hardly possible unless a communicant sacrilegiously pockets a piece for judicial inspection. Mr. Ridsdale's cross was unlawful, because it was set up without a faculty from the bishop. Let him get a faculty, and then we shall see. All I have to add is that a too exuberant imagination may conduct us to bad theology, and make great fools of us, and that it would be wise to temper our symbolical tendencies with a sober inspection of facts. "To the Law and the Testimony," says one whose advice is surely good. Religion, like Faith, the lofty ministrant at its altars, is not an end in itself, but only a means to an end, and by fixing our eye upon the end itself, as a traveller fixes his eye upon some distant mountain top, we may be kept from devious windings on the road. To exaggerated idealism, or mysticism, its twin sister on the side of theology, I would oppose the simple realism of the Gospel, "Thou shalt love the Lord thy God with all thy soul, with all thy mind, and with all thy strength, and thy neighbour as thyself."



SCOTCH ELDERS AND SCOTCH THEOLOGY.

I AM not a Scotchman, but, on referring to such small tabular abstracts of my immemorial ancestry as I happen to have in my possession, I find that one-sixteenth of my blood is Scotch, and it is probably owing to the strong theological tincture inherent in this glorious sixteenth that I never allow any little bit of Scotch theological controversy to escape me unexamined, if I can help it. Of course there are details constantly referred to with which I cannot profess to be acquainted, and metaphysical depths are at times disclosed which make me feel as if I were standing on the verge of a *crevasse* in an Alpine glacier, and over the brink of which, into the cold, cruel, but strangely fascinating depths below, I can but gaze shudderingly. Happily no such trial of the nerves is occasioned by the debate which has just occupied the General Assembly of the Church of Scotland on the duties, speculative and practical, of the elders of their congregations. Here I must warn my English friends not to think of these officials as if they answered to the churchwardens and deacons with whom they happen to be more familiar. The deacon, as he is known among Congregational Dissenters, is too composite a personage to bring within any simple definition. His proper business is to "serve tables," to look after the poor, and to keep financial

matters square, but he generally manages to absorb a good many spiritual functions as well, not without inconvenience at times to the legitimate claimant in the person of the pastor. As for the churchwardens—well, there is the churchwarden's pipe, bespeaking age, gravity, composure, and a tender touch of secular piety which inclines me to like him. The Scotch elder differs from his English equivalents in being a purely spiritual personage, so far as his office is concerned. The teaching function abstracted, he is on the same level as the minister; like him he is an overseer and bishop of the flock, is inducted into his office by ordination, and required to sign the same theological standards. The national poet of Scotland has treated him rather irreverently, and among so large a number there must be a few black sheep, but lay eldership, if the term "lay" is not, strictly speaking, a misnomer, is the sheet anchor of all the Scottish churches, and the large infusion of this element into their several Courts, from the Congregational Session to the General Assembly, secures them at all events against such freaks as the Ritualistic and other sacerdotal highflyers play with impunity among the distracted laymen of England. But just now the elders of the Church of Scotland seem to be in an uncomfortable position. The General Assembly of last year ordered a sort of census to be taken of the "Christian life" of the congregations, desiring to know, among other things, how many of the elders took part in "public meetings"—religious, of course, and how many gave addresses. On the theory that "silence is golden," the returns are highly satisfactory. Out of nearly 5,000




elders, only 187 "gave addresses" during the past year. The Presbytery of Edinburgh contains 400 elders, and out of this large number only five felt moved to open their lips to the brethren for edifying purposes. On the rule that "out of the abundance of the heart the mouth speaketh," it may perhaps be said that the almost universal silence of the body of lay presbyters proves that their hearts were empty, but this would be utterly illogical. I am afraid that with a good deal of talking which takes place the heart has very little to do, but if, as a rule, the heart's abundance overflows in speech, it is quite possible for the heart to be full and the tongue silent, as everybody knows that has a heart at all. So we may pass a judgment of charity upon these silent elders. They may have been brimming with spiritual life, and it may have been the very fervency of their emotions that paralysed their powers of utterance. A crucial proof would be to try them with a glass of toddy and see whether that had power to move them, but decorum forbids the application of so rude a test. While the Assembly is trying to get a firmer hold of the elders, the elders are trying to shake themselves loose a little from the theological grip of the Assembly. An overture has been presented from the Presbytery of Dumbarton asking that elders may be excused from subscribing to the Westminster Confession of Faith, and the other standards of the Church, a short formula expressing their belief in more general terms being proposed in its stead. The matter was discussed at great length and decided against the elders, not, however, by a direct negative, but by a vote on the "previous question,"

the effect of which, as we know from parliamentary experience, was that the question itself should not be put. I do not know what others will think of this proposal, and of the way in which it was dealt with, but they strike me as rather remarkable phenomena. The Confession of Faith consists of thirty-three chapters, and about 170 propositions, many of them of an extremely metaphysical character, and the whole extending over the entire realm of theology, from the existence of God to the Last Judgment. Under the head of "God's Eternal Decree" it is set forth that "God did from all eternity, by the most wise and holy council of his will, freely and unchangeably ordain whatever comes to pass, yet so as thereby neither is God the author of sin, nor is violence offered to the will of the creatures, nor is the liberty or contingency of second causes taken away, but rather established." Again: "By the decree of God, and for the manifestation of His glory, some men and angels are predestinated unto everlasting life, and others fore-ordained to everlasting death. These angels and men, thus predestinated and foreordained, are particularly and unchangeably designed, and their number is so certain and definite that it can neither be increased nor diminished." Let us imagine matter of this sort extended throughout a hundred and seventy propositions, and we shall have some notion of the weight of the yoke which the Scottish elders want to throw off. The Thirty-nine Articles of the Church of England—forty stripes save one, as they have been nicknamed—are felt to be bad enough, but the Scotch Articles are four times larger in quantity, and as for quality there is

no comparison. I know that Calvinism is the diet of strong souls. It has been the faith of heroes. "Every bullet has its billet" is still a soldier's proverb. Carlyle is not an orthodox believer, but he adheres to the view which Calvinism gives us of human life and destiny, while the recent deductions of physical science, as expounded by Professor Huxley, chime in with this and with no other system of theology. But the Confession of Faith only starts from the Divine Decree in a career which traverses the whole of man's history, and it deals with every part and every phase of it in a style equally precise and dogmatic. All this may have been very well two hundred and fifty years ago, when the religious conscience of man had thrown off the heavy yoke of mediæval authority without being yet schooled and attempered to the enjoyment of perfect freedom, but it is no wonder that thoughtful and conscientious men in the present day, and just in proportion as they are thoughtful and conscientious, should be restive under the burden of this tremendous subscription. Yet there is something ominous in the revolt. Here, they say, are a lot of things which we are not prepared to confess that we disbelieve, but which we don't want to be asked to say that we believe. Don't press us on the point. Just draw up for us a short formulary which will be sufficient for all practical purposes, which will ensure that, to the best of our belief, we are good Christians and staunch Presbyterians, but pray let this enormous goblet of theology, with its unintelligible propositions and highly disputable conclusions, stand on the shelf. We may, perhaps, sip at it now and then if you say nothing


about it, but let it be as we feel disposed. Our reverend teachers, who have had the advantage of a metaphysical training, may perhaps prefer signing. We have no wish to interfere with their liberty ; but pray spare us. There is something plaintive in this appeal, but I don't see how they are to be helped out of their dilemma. The theological standards of the Church are either true or false. If they are true they ought to be accepted by everybody ; if false, they ought to be burnt with unquenchable fire. If they cannot be proved to be true by methods which approve themselves to the conscience and the intellect of the devout minds of the present day, their doom should be equally certain and inexorable. The proposal to exempt the elders only from the burden of subscription, and to leave it lying in all its weight on the shoulders of the clergy, involves the assertion that there are some things which the clergy ought to believe, but which the laity may please themselves about believing ; that what is truth to the former may be error or delusion in the eyes of the latter ; and that this state of things, instead of being viewed as a startling anomaly, which it ought to be the aim of all serious-minded men to correct as soon as possible, should be accepted as a natural and permanent arrangement. An article of religious belief is good and useful only so long as it is considered to be true. The moment it loses that character it becomes an incumbrance and a snare. To pay outward deference to it, to recognise it as a matter of formal decorum when a conviction of its truth is not present or has been irrevocably lost, must issue sooner or later in moral deterioration. Religion



is a thing of daily life and practice. It is nothing to us if it does not purify the affections and mould the character, leading us to be more just and loving, more pure and high-minded, with a keener zest for whatever things are virtuous and of good report. An accepted truth may exercise such influences ; a tolerated lie never will. The malady under which the Scotch elders groan is one of the common maladies of the age. There is a growing discrepancy between the moral consciousness of the religious world in all its sections and the systems of theology which have come down as heirlooms from other times. It would probably startle many a religious man if he could find out how little of the old theology found in the creeds he really and seriously believes. The difficulty lies in ascertaining the fact, though there are practical tests which would yield the discovery if fairly tried. It may be said that he ought to believe more, but it is not so much a question of quantity as of quality. The main point is to get at the few nuggets of gold, and when we have got them we can afford to let the wood, and hay, and stubble of human systems go to the bonfire. There is no creed in the gospels which could not be put into a couple of lines, and the grandest creed of all, as exhibited in the life of Him who is their central figure, speaks with undying eloquence to the heart, but defies definitions. So I beg to join in the overture from the Dumbarton Presbytery. The burden must be intolerable when Scotchmen cry out, and we may follow them without hesitation in quest of larger freedom.


DOGS AND SHEPHERDS.

OUR reverend neighbour, the Rector of Cheadle, probably enjoys the unique distinction of being the only English clergyman that ever left his spiritual flock to some delegated oversight, and traversed three thousand miles of briny ocean in order to act as judge at a Dog Show. To set matters straight between him and me and my readers, I beg to say at once that it would be a mere assumption on the part of anybody to suppose that I mention this fact to Mr. Macdona's discredit. On the contrary, I am quite prepared to believe that it sets him forth as a man of peculiarly tender and catholic sympathies. By his profession he is bound to be, like Lord Beaconsfield, on the side of the angels, and to have a heart open to all saintliness, but I should be loth to infer that he is thereby excluded from the privilege of taking an interest in the lot of any of God's creatures, and more especially of those who by their wonderful endowments have acquired the right to be considered as the friends and companions of man. One of the charms to me of the evolution theory started by Mr. Darwin is that it brings into greater prominence the ties which bind us to the rest of the animal creation, and places the claims of humanity on a



scientific basis, giving to the other occupants of the earth some shadow of the privileges which belong to poor relations. I would not for the world compromise Mr. Macdona by appearing to enlist heresy in his defence. I am well aware that the most sensitive-minded old lady in the Established Church, or in any other Church, would much more readily pardon an undue devotion to dogs than the slightest slipperiness on the side of dogma ; and I hasten, therefore, to ask whether it was not a great saint of the Church who preached to the wild beasts of the desert, having apparently had a notion of their being rational and salvable in the same way, though not to the same degree, as himself? Bishop Butler would almost have agreed with St. Anthony. That learned prelate saw clearly that the physical argument for proving the immortality of man would apply equally to the lower animals, and he contented himself with suggesting that they also perhaps may be immortal. But among those creatures which in our insolence we call " brutes," the first and ripest candidate for a share in the privilege of immortality is undoubtedly the dog, and when I look into the eyes of my faithful friend the thought is by no means displeasing. Now, I have to remark of Mr. Macdona that he did not go to New York merely to witness a dog show, which might have been a matter of curiosity, hardly justifying the expenditure of so much time and money, but that he went as a judge of dogs, that is, in order to apply certain knowledge which he has acquired, and in which few persons excel him, to the settlement in hundreds of cases of the

question whether this or the other specimen was really the best, and so to assist in improving the Transatlantic breed of dogs generally. This may not be the sublimest of conceivable missions, but it is useful in its way, and we no more live upon sublimities than we do upon turtle soup. Only let us suppose that from Mr. Macdona's visit the whole canine race beyond the Atlantic takes a new start; that, in consequence of his suggestions, the average sagacity of American dogs increases five per cent by the end of the next twenty years; and who will say that the resultant benefit to the farmers and shepherds of the West, from Illinois and Minnesota down to Texas, will not suffice to redeem from the charge of utter unprofitableness his three months' absence from his own flock at Cheadle? There can I think be no doubt that he might have spent his time much more to the satisfaction of his brethren, and much less to the probable profit of the world. Besides, it is to be noted that Mr. Macdona is not idle on Sundays. He exercises his spiritual functions from Dr. Tyng's pulpit, so that his visit is likely to be the date of an epoch in the history alike of Transatlantic dogs and men. But I want to make some special use of Mr. Macdona. Perhaps he carries his partiality for dogs a trifle too far. That point I don't care to discuss, but I think it must be admitted that he represents, perhaps at its high-water level, a vast mass of sympathy which exists with the canine family throughout these northern nations. The dog is a popular animal. He often holds a position of trust and responsibility, guarding the property of his master by night and by day, and keeping



suspicious characters at a distance. In these capacities there is at least this to be said of him, that he never dozes when he ought to be awake, never takes a bribe, and never gets drunk. But his inherent amiability gives him a distinction which all human beings cannot be said to enjoy. It makes him an agreeable companion for his own sake—that is, he is liked and loved on his own merits, without the slightest deflecting influence of interest or relationship, favour or fear. Now there is a wide difference between these sentiments and those which seem to have influenced most of the writers of Holy Writ. I think the Dean of Westminster has somewhere called attention to this fact, and it is a curious one. The dog is not once mentioned respectfully, or tenderly, or kindly in the whole Bible. In this treatment he stands almost alone. The horse figures grandly on Job's poetic canvas; the ox and the ass have the privilege of a distinct mention in the Decalogue, and, the one as knowing its owner, and the other as knowing its master's crib, are held up in honourable contrast to the ignorance and inconsiderateness of the chosen people. But the dog is never named save with contempt, as the very 'dregs and offscouring of unclean things. Mr. Macdona is said to ask some forty thousand dollars for one of his dogs—his presumably, though registered in his father's name. I don't know what he will do with the money when he gets home, but I would advise him to have an eye to a text in Deuteronomy, where it is said, "Thou shalt not bring the hire of"—well, let us call it the wages of immorality—"nor the price of a dog into the House of the Lord thy God for

any vow, for even both these are abominations unto the Lord thy God." "Am I a dog?" demanded the indignant Goliath as he hastened to meet David. "Is thy servant a dog that he should do this thing?" asked Hazael when the Prophet told him that he would soon perpetrate upon Israel such atrocities as we have lately termed Bulgarian. Why do you hunt me as if I were "a dead dog or a flea?" inquires David of Saul in the wilderness. "He that dieth in the city of Jeroboam shall the dogs eat," and the dogs licked up the blood of Naboth, of Ahab, and of Jezebel. In the New Testament they fare no better. That which is holy is not to be given to them. They lick the sores of Lazarus, they represent the Judaising opponents of St. Paul, and they are put at the head of a list of evil-doers, as if they were a compendium incarnate of all the sins and villanies that can disgrace mankind. Alas, poor Rab, whose Christianlike virtues were immortalised by Dr. John Brown! Alas, ye thousands of household pets and friends, ye sturdy lurchers, ye incorruptible mastiffs, ye humane St. Bernards, who vie with your guardian monks in works of mercy amid the eternal storms and snows and avalanches of the Alps! Must it be said that Revelation is against you? Must we burn whole libraries of anecdotal books in which your sagacity and fidelity are pourtrayed for the instruction and almost for the example of the rising race, lest we should be out of harmony with the spirit of the records in which our religion is enshrined? Not at all, we should hope. In these small matters we are all unconscious rationalists. We yield to our instincts when they do not fall foul of any moral


law, and never dream but we are right. We give our dogs the benefit of that great sheet which was let down before the eyes of St. Peter when he was taught by a voice from Heaven not to regard anything which God had made as common or unclean. The Gentiles, to whom St. Peter was invited to preach, were dogs in his eyes till he learned better, and the Gentiles have recognised the compliment by bringing their dogs along with them to some extent within the social pale of Christianity. The Scriptures were not intended to teach us the true position of dogs any more than to instruct us in geology or astronomy. Their allusions to dogs are tinged with local colouring—the colouring of Eastern sentiments and manners, of countries where from time immemorial dogs have only been tolerated in the capacity of scavengers. We need not follow the sacred writers in this respect, but use our own more excellent way, the result of natural gifts peculiar to our race and climate, from which they were debarred. In some of the country districts of Scotland, I am told, the shepherd dogs know Sunday morning quite as well as their master. They wait uneasily till the time comes for going to church, and then scamper off to be in good time, holding their own little conventicle outside, while their masters take snuff and listen to the sermon within. In rough weather the dogs are sometimes admitted to the pew, and by long practice, assisted probably by the theological atmosphere in which they live, acquire a perfect knowledge of what is going on, so much so that, on one occasion, the minister of one of these country churches is said to have warned a city brother who was going to do

duty for him not to hold up his hands, as is the Scotch fashion while pronouncing the benediction, as the dogs would know the signal and disturb the congregation by rushing out. After reading my random disquisition on dogs I trust nobody will be too hard upon Mr. Macdona for having strained his privileges as a clergyman on their behalf. Perhaps he might have spent his time better, but where so much is absolutely wasted it is something to have spent it well. Amid the many purposeless lives that are spent it is almost a dignity to have a purpose of any sort. A clergyman, it may be said, should have something else to do. Perhaps he should, but here we touch upon delicate ground, too delicate for me to venture further at present. If we are to infer what ought to be the life of a clergyman, and, for the matter of that, of every Christian, from those admitted principles of Christian doctrine which relate to man's condition here and hereafter, and compare that abstract rule of obligation with the average performance, I am afraid there would be too many glass houses to encourage throwing stones. In all charity then let us join the Cheadle congregation in the prayers they promised to offer for their pastor's safe return, and, if any penance is necessary for his Transatlantic extravaganza, he will clear off all debts and turn his special experiences to useful account by devoting three months of next winter, with the Bishop's leave, to a special mission among the dog fanciers of Manchester.

AS BETWEEN MAN AND MAN.


I CANNOT help thinking that too much fuss is made about strikes. When a thousand shipbuilders or miners or joiners throw up their work rather than go on doing it at a certain price, there is a disposition to look upon their conduct as something strange and almost reprehensible. We begin thinking of storms, earthquakes, pestilences, and other destructive phenomena of nature, with which the social mischiefs of the strike seem fit to be compared, and there are some who think it almost criminal that such mischief should be produced by the exercise of a workman's will. This way of viewing the case is not quite fair to the workman. What is it when stript of these accessories of the imagination? John Smith, joiner, who has hitherto received eightpence an hour for working for William Brown, wants ninepence an hour in future. Brown refuses to give the extra penny, whereupon Smith packs up his tools and goes home, on the understanding that he is ready to come back as soon as Brown is ready to give the advance. This is simple enough, and there is nothing in the transaction which need affect our prior belief that they are both very estimable fellows. But a thousand other men, working in the same place, and on the same terms, though for different employers, are of Smith's opinion. They agree to make the demand for the extra penny at the same time, and, as

they all meet with a refusal, they all go home. The moral character of the transaction is not changed in the least by its being done by a great many persons, and if it was not wrong in Smith's case, it is not wrong in the case of all the rest, whether taken severally or collectively. Whether they have done a sensible or a prudent thing is another question. Perhaps they are not the best judges, but, at all events, they are entitled to judge for themselves and to act upon their judgment. The difference between a slave and a free man is that the one is held to labour by a power to which he is compelled to submit; whereas the other, if he works at all, works under a contract of service, to the terms of which he has voluntarily agreed. If a man does not choose to work I don't see that he should be compelled. If he likes to lock himself up at home, surely he may do so. If he prefers a lounge in the parks instead of bending over the bench, he shows a natural weakness to which I, for my part, plead guilty, or rather should do if I could afford to indulge in it. But this freedom has its *per contra*. He has no right to any sort of help from anybody, and if he allows his wife and children to starve while there is work that he can do, I think he should be sent to gaol. For my part, I hail Smith as a man and a brother, but he is a brother in my eyes solely because he is a man; and, as the first proof of manliness is to do a man's duties, I would not promise to give him a crust to save him from starving so long as there was any work to be done, though it were getting in coal or sweeping a crossing, which he had the strength and the opportunity to do. So let there be no misunderstanding



between my friend Smith and me. He has the rights, but he has also the responsibilities, of a man. If he chooses to stand idle till he can get the amount of wages to which he thinks himself entitled it is his own concern, and in the hardships that may flow from this decision he should expect no pity nor sympathy. On these terms let him strike if he chooses. As a wholly disinterested observer, forming the best judgment I can of the case, I do not think he acts wisely in carrying his insistence to the striking point. In the upper ranks of labour all persons without exception try to increase their "screw," but very few strike. They "try it on" by gentle means, and if the experiment does not respond to the sense they have of their own merits they quietly look out for the first opportunity to improve their position, and in the opinion of most people they would be fools if they didn't take it. A strike has one incidental advantage. It places bare and naked before the eyes of large numbers the relation between a man who pays for labour and the man who gets paid for it. The relation is one of voluntary contract, in which both parties figure as equals. Each is parting with property, each can do so on his own terms, and, if they cannot come to a bargain at once, they must do like other buyers and sellers, haggle away till they agree. But I find a notion prevailing among many working men that there is something more in the matter than this. They speak as if they had some sort of right to receive a certain price for their labour; as if the employer lay under a moral obligation to pay them not less than so much per hour or per week; and that if he pays

them less he is "grasping," "covetous," "tyrannical," in short, a very wicked man. I have no wish to dogmatise, and can only speak according to the best of my judgment, but I must avow my utter inability to see any trace of moral obligation in the matter. If I had a slave I should hold myself bound to treat him as indulgently and as fairly as the unjust relation between us would permit, but I disclaim all prior obligation of this sort towards a freeman, who stands before me as my equal, and whom, from the bottom of my heart, I accept in that character. Over and above our common humanity and citizenship, what is he to me, and what am I to him? Just that which we mutually agree to be towards each other, and nothing else. He or I want something to be done which the other is willing to do. We discuss the terms, and agree to a bargain. The bargain so made must be faithfully adhered to, but this is a matter of course, for if it be broken, the law, which is the guardian of all contracts, will take care to have it enforced. The idea that some amount, which it is "just" on my part to offer and for him to accept, is fixed antecedently to the bargain, deprives us both of our right to settle the matter as we choose, and prevents the transaction from being a bargain at all. Parliament in former times has tried its hand at fixing a fair rate of wages, and workmen were compelled to accept the rate so fixed or go to gaol. A Parliament of workmen would probably have adopted a rate more favourable to themselves, and might have enacted that all employers who refused to pay it should undergo the same penalty. We have discovered by slow degrees that




the notion of determining by Act of Parliament what is just and fair in the matter of wages is utterly absurd and unworkable, and if the collective wisdom of the nation cannot determine the point I don't know who can. The sooner we clear the labour question of these abstractions the better. Now, then, comes the further question. The value of labour is to be settled exactly like the value of capital, or the value of a bushel of apples, or of a load of potatoes. Its value is precisely that which it will fetch in the open market, neither more nor less. There are people who say that money on loan ought to carry 5 per cent. The "ought" is nought if nobody is willing to pay so much, as many have found during the last twelve months, and as I find to-day when I read in the money-market intelligence, "Money in sufficient supply all round at 2 to 2½ per cent." There is no intrinsic value in any commodity, labour—whether of the hands or of the brain—not excepted. All that can be alleged is an actual value, and this is the sum which people are willing to give for it. A pretty state of things would follow if people dealt with each other on the notion that the things in which they dealt had an intrinsic value. The market gardener might allege that his apples were intrinsically worth twice as much as they will fetch in the market, and refuse to part with them unless the intrinsic value were paid down. The master joiner might declare that Smith's labour is intrinsically worth only sixpence an hour, though every other employer gives eightpence. It is clear that if he stuck to the notion he would get nobody to work for him, any more than the gardener would get anybody to buy his

apples. So intrinsic values, together with all antecedent notions of justice or fairness in fixing the price of commodities, must be dismissed as no better than moonshine. Everybody agrees to sell at the price which others are willing to give, and there is no possible rule besides. Now, if Smith is willing to work for Brown at eightpence an hour, what right has Jones to complain if Brown refuses to pay ninepence? What earthly right has Jones to receive a penny an hour more than his labour is worth? What conceivable obligation is Brown under to make Jones a present of five shillings a week? Who is Jones that he should be pensioned off at the cost of his fellow-creatures? If Jones has a right of this sort, all other people have the same; and so we all have a right to live upon each other's bounty. I don't see why Brown should be called greedy or covetous or tyrannical simply because he does not choose to make presents. The usual talk about capital and labour is very misty. We speak as if they were two huge giants, each armed with a big club, and always striking at each other. There is no such abstract thing as capital. There are great numbers of capitalists—that is, people who have the command, to a greater or a smaller extent, of the stored-up results of past labour. So labour in the abstract has no existence. What we are acquainted with is a number of persons willing to labour. These two classes are not easily separated, since a large proportion of both classes figure in the same capacity. Every capitalist who supervises the application of his capital is a workman, and every workman who owns a box of tools, or who has a special knowledge

of his craft, acquired perhaps by an outlay of time and money, is a capitalist. Grand metaphors are used to set forth what are deemed to be the respective prerogatives of labour and capital. Capital is the steam which drives the engine, or the wind which fills the sails of the ship, and a number of other fine things, but the prose of the matter is that people who have no money are, as a rule, obliged to work for those who have. What takes place is an exchange of commodities, and the employer is no more bound by any sort of moral obligation to pay more than the market price than the workman is to accept of less. In making his way through the world a man has to depend upon himself, and upon nobody besides. His own energies, his own prudence—these are what he has to trust to. He has no right to present himself at anybody's door, and say, Here I am; you must keep me. He must keep himself and all that belongs to him, or he must starve—and there's an end of it. This may sound rather brutal, but the question is not whether it is brutal, but whether it is true, and, with the exceptions I may note presently, I maintain that it is true, and that society in any shape could not exist long upon any other supposition. Self-help is the only help which a man is entitled to take into his calculations. There is in theory another alternative. Some form of socialism would give a different aspect to human life—for a time. But in return for the benefits of a socialistic community each individual would have to surrender his freedom. He would have to leave it to others to determine when and whom he should marry, or whether he should marry at all, how many children


he should have, what sort of work he should do and how much of it, and what should be done with the fruits of his labour. On the whole, men prize freedom as the chief of earthly blessings. Even the savage would find life unendurable without it. So, as with the gift of life itself, we have to take it with all its terrible burden of responsibility, and make the best of it. Of course, there are special relationships which mitigate by their action the normal relationship of man to man. There are the ties of blood, the ties of friendship, and the ties of sympathy. There are the impulses which prompt us to succour the unfortunate and help lame dogs over the stiles. Moreover, it is found to be a law of life that the better a man does for himself the better he does for others, for he cannot possibly keep his prosperity, any more than he could his adversity, to himself. Others must share in it directly or indirectly. The more industriously we all work and the greater our success, the better will it be for us all, even for those of us who labour least and are the least successful. Hence life is not so bad after all, if only we keep in the straight road, and beware of quagmires and Will o' th' wisps which decoy us to ruin. I offer these thoughts with sincere respect to my friends who are now on strike, requesting them to believe me when I state that they have only furnished me with a text, and that there is nothing in what I have said which is to be construed more personally to them than to myself. I belong, equally with them, to the common guild of labour, and when I cease to labour I shall be willing to die.



THEATRE-GOING.

FOR two reasons I am rather reluctant to criticise Dr. Thomson's sermon on theatre-going; first, because it was a sermon, and sermons, so long as they do not stray beyond the bounds of theology and morals, are, perhaps justly, regarded as to some extent privileged communications; and next, because I heartily sympathise with his motives, and to some extent agree with him. On the other hand, I must either utterly disbelieve the results of my own observation and experience, or come to the conclusion that his hits fall very wide of the mark, and that, under the form of a censure directed against an institution of which he disapproves, he has unwittingly calumniated and libelled a large number of his fellow-citizens. Since I see and feel the wrong, it would be a piece of courtesy for which I am sure he would not thank me if, out of regard to his position as a minister of the Gospel, I hesitated to say what occurs to me in correction of his too indiscriminating and too vehement strictures. A great predecessor of Dr. Thomson's speaks reprovingly of some in his day who had "a zeal of God, but not according to knowledge." This is the description which obviously applies to Dr. Thomson's denunciation of dramatic performances, and of those who attend them. He has no

practical acquaintance with the subject. I take it for granted that he is not a theatre-goer. It may, perhaps, turn out that he has not been inside a theatre for the last thirty years, or never in his life. It would be interesting to learn how many persons who are in the habit of attending theatres have been admitted to Dr. Thomson's intimacy, and whether his knowledge of them was sufficiently close to enable him to form an accurate judgment as to the effect which the indulgence of their dramatic tastes had upon their moral character. If it should be the fact that Dr. Thomson has seldom or never been at a theatre, and has never numbered among his personal friends those who were in the habit of going, it is difficult to see upon what grounds he can justify his sweeping censures. This point is the more important because in all probability nineteen-twentieths of Dr. Thomson's audience were as destitute of any direct knowledge of the subject as himself, and had no means of correcting his misrepresentations. He stood to them in the relation of a witness as to matters of fact, of which matters he knows nothing or next to nothing. Dr. Thomson must be reminded that "men of the world" have their rights. It is not lawful to traduce them nor to paint them blacker than they are. No fineness of motive, no degree of moral superiority, will justify even a Christian minister in bearing false witness against his neighbour. I am aware that it is not necessary for a man to commit a sin in order to be able to condemn it; but theatre-going is not, like theft, or murder, or lying, or evil-speaking—wrong in itself. It is one of those things which may be shown to be wrong by evidence



and reasoning, but some amount of personal knowledge is requisite in anyone who attempts the process. Dr. Thomson has called up the theatre from the depths of his consciousness, as the celebrated German naturalist called up the camel. No wonder he finds it very bad, for it was called up as a naughty thing to be chastised. But it is his own creation, and may hardly correspond at all to the institution which goes by the same name in the actual world. He tells us that the whole aim of the popular drama is "to present to the world its ways, doings, and fashions, its leading characters, their motives and aims, in the most seductive and fascinating light, so that the spectators should be gratified with the general effect, and should go away pleased with the world as it is—that is, with themselves." As a matter of fact, is this a true account of the drama? Dr. Thomson confounds two things which are quite different, the pleasure afforded by a dramatic performance, and the moral purport and tendency of the story portrayed. No doubt a drama which does not "gratify" misses the mark; but it need not be immoral or even worldly in its tendency to afford gratification. I have no doubt that Dr. Thomson's audience last Sunday morning were immensely "gratified" with the sermon, and if the services at Rusholme Road were not on the whole such as to leave the congregation "gratified with the general effect," the chapel would soon be empty. A dramatic writer does not care a straw about what Dr. Thomson calls "the world." He cares just as little whether his audiences are pleased or displeased with it; whether they regard it as the best of all possible worlds or the worst. He cares even

less whether they are pleased or displeased with themselves. His great point is to engage their sympathies, and to interest them by picturesque effects. As a pourtrayer of life and manners he stands in the same position as the novelist, only his pieces are acted instead of being read, the various characters going through their parts before the eyes of spectators with appropriate scenic accessories, instead of the whole being left to the imagination of the reader. When Dr. Thomson reads one of Dickens's stories he does for himself by the help of his fancy what the playwright who goes to the story for his plot would do for him in a visible and tangible form. In the one case it is mind with a book, in the other case mind with a stage, and I can see no moral difference between them. The comedian finds his favourite materials in the foibles and crotchets of humanity. He makes us laugh at them, and is so seductive a moralist in his small way that we are often made to laugh at ourselves. Good a man as Dr. Thomson is, I believe he would be all the better if his professional stiffness were taken out of him, and a lively actor would perform this process in the most engaging manner, by simply representing the small besetting foibles of a Doctor of Divinity. These faults are too light to be dealt with in sermons, and mimic imitation will be found the best corrective. Of the great masters of the dramatic art I will say nothing. I do not want to mount the tragic stilts, nor to indulge in sentiments which might sound like cant, so I will not attempt to describe the impressions produced upon sensitive and thoughtful minds by one of Shakspeare's dramas, nor venture

to weigh or compare them with the impressions made by some of our greatest pulpit orators. All I will say is that they are the same in kind, and that I do not know of any moral obstacle to our passing on such occasions from the theatre to the Kirk Session or the Church meeting. God's grace is conveyed to man through many channels, and I should be sorry to exclude from the number the great genius who above the rest of human kind was most richly illumined by the Father of Lights. At all events, if, as Dr. Thomson probably believes, God once spake through an ass, there is no great difficulty in supposing that he may sometimes speak through an actor. Dr. Thomson describes the audience of a theatre as a "mob"—the "well-dressed mob of the boxes and the pit, and the ill-dressed mob of the gallery." I feel a sense of pain and humiliation in quoting such words from the lips of a man whom I prefer to esteem. It is simply not true. The audiences at a Manchester theatre are composed of the same materials, morally and socially considered, as the audiences at Hallé's Concerts, a few persons who take Dr. Thomson's view of theatrical performances abstracted. The one are just as much a "mob" or "mobs" as the other. I know there are some—members of the "cloth" included—who listen without any mental disturbance to operatic selections at the Free-trade Hall, but would on no account listen to the same operas performed by the same singers in a building with another name a few yards off. I believe it is a fact that performers of the type of Mr. Maccabe lay themselves out expressly for those good people who like a little dramatic amusement, if it can be had without going to

the theatre. It is not my business to explain such inconsistencies, but I do not see how anything becomes innocent and laudable simply by being maimed and imperfect and the worst of its kind. If that which is worthy of being done at all is worthy of being done well, that which is deserving of being seen at all is deserving of being seen at its best. Dr. Thomson says that in a theatrical estimate, "Christ, His cross, His service, and His kingdom, are of no account at all." To this argument I venture no reply, and but one comment. If all pursuits are to be accounted unholy and unlawful that imply no immediate recognition of these sacred themes, then six-sevenths of human life must be put under ban. It may be said just as truly, just as fully, of the factory, the counting-house, and the joint-stock company, in which even clergymen take shares and evince an occasional interest, as of the theatre. There is a Puritan programme of life. It is rigid, in some parts of it sublime, and, as worked out by some of the great characters of history, I render heartfelt homage to it. But the programme is incomplete, and, as a whole, it is not lived by any human being. Dr. Thomson himself would not like to have the details of his life, blameless and honourable as they are, tested by a too logical reference to some doctrines which he believes he firmly holds. There are some of those doctrines which, if they were believed, as they ought to be believed if they are true, would demand a far more ascetic rule of life than even he exhibits, and would render evening parties, tea meetings, and picnics intolerable. Dr. Thomson is too hard with the player, and by "hard" I mean what

the word literally implies. It sounds to my ears in painful contrast with the language Christ used towards the confessedly questionable characters of His time; and, while reading afresh the parable of the Pharisee and the Publican, I can hardly get rid of the thought that many a poor player may be nearer the Kingdom of Heaven than some of those who cover them with righteous—I restrain myself from saying self-righteous—taunts and jeers. No profession has greater temptations than theirs; but there are few professions without some, the clerical profession, even in the mild form in which Dr. Thomson wears it, not excepted. Dr. Thomson mentions “the lust of the flesh, the lust of the eye, and the pride of life,” but these do not exhaust the category of sin. There are the sins of the flesh, but there are also the sins of the spirit, such as pride, ambition, and their sister vices, which are a still more fatally destructive canker to the soul. The clerical profession for eighteen centuries has exhibited them on the grandest scale and with the most terrible consequences. Priestcraft has earned the most prominent place among the enemies of mankind. Dead to the claims of justice and of pity, it has subverted to its sway all the relations in which man stands to man, and, with fire and gibbets and torturing racks at its disposal, it has tyrannised over the bodies and souls of men. All the evils which have sprung from the actor’s profession are as nothing in the balance when weighed against the iniquities which have been wrought by men who professed to be the ministers of Christ, and who sought to sanctify their deeds by invoking their Master’s name. The priestly power at

this moment is the greatest anti-social power in Europe. All over the Continent it calls for blood, and, if Heaven's mercy interpose not, nations will soon be deluged with it. Dr. Thomson is not a priest; he is a simple minister of the Gospel, but the great architypal vices of the profession can adjust themselves to the scale of the humblest sheepfold, and I can hardly listen to his denunciations of those who differ from him in their estimate of a social institution without fancying I hear the scream of the Vatican. I have not said all I thought of saying about the theatre. There are partial views of the question in regard to which I should find myself agreeing to some extent with some of Dr. Thomson's strictures. But I have said what seems to be most necessary for the object I have in view, which is to rebuke calumny, to correct misrepresentation, and to enter the protest of charity against a narrow and, I should be sorry if I thought myself absolutely obliged to add, a rancorous dogmatism.



THE CONFESSIONAL.

LORD REDESDALE ought to be made an Archbishop, or at least an Archdeacon. By the mere use of his eyes and an adroit seizure of opportunity he made a discovery which had for many years eluded the vigilance of the regular overseers of the Church. His Grace the Primate seems to have been much disturbed and slightly thrown off his balance by the disclosures of the lay peer. If they had only been whispered in his ear at Lambeth the scandal might have been hushed up, but they were rehearsed in the House of Lords, they were published next day in all the papers, and discussed before night, with bated breath, and when the ladies had retired, in half the households of the land. This naughty book, which had been compiled by a devout priest for the edification of his brethren in the priesthood, and taken under the patronage of a society of priests, all of whom aimed at being among the holiest of their order, was more shockingly indecent than that other naughty book which had just figured in the Court of Queen's Bench, and drawn upon those who published it a heavy sentence of fine and imprisonment. The two books, as well as being alike dirty, were both intended for family use ; but the priestly compendium was to be used by a man outside the family, as a guide in cross-examining its members, with a view to ascertaining, among other things, whether any of them had committed

the abominations which the other book recommended. At the request of the Archbishop Mr. Mackonochie furnished him with a copy, and we may fancy him reading it. I trust the Archbishop can smoke. Tobacco is an antiseptic, and a whiff of it would serve to correct the unpleasant odours which a keen imagination might well conjure up from the very pages of the book. In the meantime another book, entitled "No. 1 of the Series of Books for the Young," was placed in the hands of his Grace. This might be called "The Child in the Confessional," its purpose being to prepare the childish mind for the manipulation of its ghostly father. There was, of course, nothing naughty in it, but there were a good many rules and directions, of which the following will serve as a sample: "It is through the priest, and the priest only, that the child must acknowledge his sins if he desire that God should forgive him." Then follows the obvious question, "Do you know why?" with the answer, "Because God, when He was upon earth, gave to His priests, and to them alone, the Divine power of forgiving sins. It was to the priests only that Jesus said, 'receive ye the Holy Ghost.'" The poor child, it is supposed, requires a spur to speak out, and the requisite terror is supplied, "Sin is a terrible sickness, and casts souls into hell. I have known," says the priest, "within the confessional of poor children who have concealed their sins, and in vain, for years. They were very unhappy and tormented with remorse, and if they had died in that state they would certainly have gone to the everlasting fire of hell." If the child still hangs back, the priest is to offer

encouragement by saying how much he loves him, till all the poor thing's secret thoughts are wormed out. This is the discipline prepared, as the book says, for children of six-and-a-half years of age and upwards. "The Priest in Absolution" has special directions for confessing children, and suggests the sort of questions that should be put to them. I should like to repeat these questions as a hint to parents, but I dare not. They are too suggestive of evil, and there is a point at which the demands of decency are imperative. Pained and shocked at finding out what so many naughty presbyters were doing, the Archbishop brought the whole matter before his brethen of the Upper House of Convocation, and unburthened his soul. He told them it was clear that a great conspiracy was in existence to alter the whole system of the Church of England on the subject of confession, and that it was high time to take decisive action. The Bishops agreed with him, though the Bishop of Oxford could not allow the word "conspiracy" to pass unquestioned; but the Primate refused to withdraw it, and he is surely right. There is such a conspiracy, and it has larger objects than the perversion of the Church on the one subject of confession. It extends to almost all the doctrines and practices which, for three hundred years, have distinguished the Church of England, as by law established, from the Church of Rome. As a rule, the same persons who are in favour of the new practice of confession, are equally in favour of saying prayers for the dead, of the use of images in Divine worship, of paying such reverence as can hardly be distinguished from worship to

the Virgin Mary, and of invoking the intercession of the saints in heaven. They hold that the bread on the altar is the very body and blood of Christ, and that He is to be adored as actually present in the sacramental elements. They hold that the priest is the only mediator between sinful man and the other Mediator or mediators in Heaven. They denounce the Reformation as a wicked apostacy ; they call Luther and Calvin, and the leaders of the English Reformation, Cranmer, Ridley, Hooper, Latimer, and the rest, by the most opprobrious names ; they accept the primacy of the Pope, and long for the time when the nation shall be restored to outward unity with the Roman See. This movement has all the characteristics of a conspiracy. It is conducted by men who have signed the Thirty-nine Articles as the formal expression of their belief, and it is largely carried on in the dark. We know there are such brotherhoods as the "Priests Associate," the "Confraternity of the Blessed Sacrament," and the "Society of the Holy Cross," but we do not know who the members are. Mr. Mackonochie declined to supply the Archbishop with a list of the members of the Society of the Holy Cross, and though he might allege, in vindication of his refusal, that they were not bound to criminate themselves, what must we think of men who can regard such reticence as expedient or honourable ? Lists of names have been published, but they don't contain all. Of this we have just had a remarkable proof. On Sunday last the Bishop, preaching at Burnley, stated that there were not more than three clergymen in the whole of his diocese who belonged to the Society of the Holy Cross, whereas just at

that moment the Rev. Dr. Marshall, preaching at St. John Baptist's, Hulme, declared that he and his two fellow-priests were members of the Society, and meant to remain so. Here, then, are three members of the society in a single church. Unless they are the three referred to by the Bishop, there are at least six in the diocese, and how many more neither he nor I, nor anyone not in the secrets of the conspiracy can tell. The Rev. W. J. Knox-Little, preaching the same day at St. Alban's, spoke extenuatingly of "The Priest in Absolution" as a "medical work," enlarged with much unction on the practise of confession, and declared that sooner than give it up he would give up his living. Dr. Marshall also confesses penitents. He does not make the practice obligatory, but he brings the subject before his Confirmation class, and a certain per centage do as he obviously expects and wishes them. One of the rules of the Society of the Holy Cross enforces the practice of confession upon all its members, and we may be pretty sure that what they do themselves they enforce to the best of their ability upon their flock. Indeed, by the principles they hold, confession is an imperative duty, binding upon every Christian man, woman, and child, to be neglected only at the fearful risk of being plunged for ever in the fire of hell. Hence, of course, they think it obligatory, and do their best to have it so regarded, though to proclaim its obligatory character from the pulpit might bring them into trouble, which the "wisdom of the serpent" justifies them in evading. It is gratifying to be told by Dr. Marshall that priests, as a rule, do not confess children, especially girls, without the consent of their

parents, nor wives without the consent of their husbands, but we gather from him that there are some who do not consider such consent necessary, and it is optional with them in all cases. What can the Bishops do now they have discovered this conspiracy? They can do next to nothing. It is not a canonical offence to belong to the Society of the Holy Cross, nor to "read, mark, learn, and inwardly digest" "The Priest in Absolution." Confession is not done on the house-tops. The only means of finding it out would be to employ a detective, and bring up priest and penitent together, and even then the language of the Prayer Book affords so plausible an excuse for the practice that it would be impossible to treat any case, however grave, as an offence against the law of the Church. The Bishops counsel each other to be more careful in examining candidates for confirmation; but suppose a new light should break out upon them the day after the imposition of the Bishop's hands has made each one "a priest for ever after the order of Melchisedek?" If a patron presents, the Bishop is bound to institute or risk a *mandamus*. Nor have the parishioners any remedy. In large towns men like Dr. Marshall gather their congregations from all parts, and only recognise the parochial system at Easter, when it is necessary to have a fight with the regular parishioners. So the conspiracy will go on working, and I see no help for it so long as the present Church system lasts. Nor do I see any reason why it should not spread indefinitely, and in the course of a generation or two attain its ends. The people will be gradually accustomed to high doctrines and ritual practices;

the children will be duly indoctrinated into both at school, and in time the prevailing feeling will be in their favour. The number of clergymen enrolled in the different societies, the English Church Union included, affords no clue to the extent to which the ramifications of the new system are spread. For every clergyman who has had courage to send his name there are half a dozen who agree with him, and would do the same if they dared. Very few will openly endorse the modern innovation of confession, especially after the noise which has been made about it, but I suspect that the great majority of the clergy do not so much disapprove of it as feel afraid of giving it their approval. It is a fair *prima facie* proof of this opinion that so few of the clergy take up arms against the practice. The cry against it is a layman's cry, the bulk of the clergy are dumb, and if they are suspected of having a warm shoulder for it the fault is their own. The truth is that High Churchism is in the ascendant. Evangelicalism has almost died out in the Church. The adherents of Broad Churchism are select, but few. The High Church theory is easy, it exacts no thought, it takes everything for granted, it is flattering to clerical assumption, it supplies with new sanctions many useful and amiable modes of activity, and it puts the laity in the position which clergymen are naturally tempted to consider as the right place for them. Such a theory is bound to be popular with the clergy. But the High Church or Anglican theory is on all fours with the distinctive doctrines and practices of the English Church Union, and of the smaller fraternities of which the Society of the Holy Cross is the

most notorious example. Every system tries to complete itself in harmony with its leading principles, and a High Church clergyman, essaying this process for the system he has embraced, is led by slow but certain steps to the Confessional and the Mass. The Bishops may try to draw a line at the fourth or the fifth century, but it is of no use. Most clergymen, once set upon the beaten track, will prefer to trot on through the ages till they reach the spot where they are now. They dread anything that looks like a "solution of continuity" in the Church's history, for at that point they smell schism and doubt and danger. Hence most of the clergy and most of the bishops are unconsciously parties to the conspiracy which they fancy they have discovered. There is no Churchman living by whom I would more readily swear at random than by the Bishop of Manchester, but if I accepted the Church system as he often propounds it I should find it difficult, not being endowed with his constitutional moderation, to stay where he is, but should insensibly drift towards the Dean and past him—if it would be necessary to pass him in the process—towards the Mackonochies and Littledales and Orby Shipleys, and the other great lights of Ritualism. The Church, so far as the clergy are concerned, is slipping in one direction. It is tending with fatal speed towards a catastrophe. If fifty years could be secured for the experiment the clergy would win, but the laity have taken the alarm, the nation is getting wild and in a humour for tossing, and I fear that Mother Church, with her frills and furbelows and scarlet petticoats, ever growing redder, will be sent flying over its shoulders some fine morning.


THE PRIEST IN ABSOLUTION.

A PRIEST of the Church of England has written a letter to the *Times* in defence of the book which Lord Redesdale exposed the other day in the House of Lords, entitled "The Priest in Absolution." He says that he has used the book himself, that he has gained most valuable help and instruction from it, and he humbly trusts and believes that from the knowledge so gained many souls have received help, comfort, and consolation. It appears from his way of putting the case that the indignation which the recital of a portion of the contents of the book has roused in most minds is due entirely to ignorance and misapprehension. The book, he tells us, is not intended for "the idle, inquisitive gaze of a careless, worldly-minded laity," like Lord Redesdale, for example, and his brother Peers. It is not meant for the laity at all, whether dull or inquisitive, spiritually or worldly minded, but for the "instruction and edification of priests." "The Priest in Absolution," says our priestly informant, is "one of the most valuable books which we priests possess upon the study of the diseases of the soul, their varied forms and their treatment." The book is therefore a medical book, answering to "The Stomach and its Difficulties," "A Guide to the Treatment of Scarlet Fever,"

and similar publications of the Messrs. Churchill, only it deals with the diseases of the soul instead of those of the body. "Souls," says the priest in question, "need to be individually treated," and it is because this fact has so long been lost sight of in the Church of England, and books upon "self-examination in the diseases of the soul have been few and far between," that "when the laity come across a book like 'The Priest in Absolution' they are startled by it, and fancy they have got hold of something dangerous and new ; whereas such books are merely treatises on the Ten Commandments, or Galatians v., 19, 22, and are intended to instruct priests how best to minister to the wants of their spiritual children, in carrying out the injunction of that great master of the science of religion, St. Paul, where he says 'Let a man examine himself.'" I have probably quoted enough of his letter to show what our priest thinks of his vocation, and of this particular book in relation thereto. In describing his own vocation it will be observed that he uses two sets of metaphors, one derived from the family, the other from the healing art. According to the former the priest is a father, and the laity are his children. Whatever differences may exist among the laity, as regards him they are all merged and lost in the filial tie. Fathers and mothers of fifty, maidens and boys of eighteen, are alike his children. So are merchants, men of science, and men of letters, equally with the untaught youth who drives the plough. They are all children, all under age, all, in the corresponding legal sense, infants ; while the father of them all, to whom they owe subjection


and obedience, may be a young man of four-and-twenty, whose beard has not had time to grow, who is a bachelor to boot, and, having lately taken to counsels of perfection, intends to remain a bachelor to the end of the chapter. I must say it takes a good deal of what the vulgar world calls "cheek" for so immature a gentleman to assume this relation towards a parish-full of people of all ages and capacities and professions, and to expect them to recognise it. Nevertheless, the filial relation is a harmless one, and, considering that what children need most is wholesome food and sound instruction, if our young priest will confine himself to giving them what they chiefly want no great harm will be done. But here we come across the other metaphor. He is not only a father but a physician. These children of his have various spiritual maladies, which it is his business to cure, and as some of them are very big children, and have rather strange maladies, it is not surprising that he should often meet with cases which go beyond his personal experience, at least, one would hope so. Now, if I needed to have my soul dealt with professionally, I should prefer this youthful priest, with all his innocence, to a Father Confessor who might be better instructed. The fact that he knew nothing of the sins of which I was painfully conscious, and that he could only babble to me blandly in a style which showed his innocence, would, I fancy, deepen my own sense of self condemnation ; while the counsels he might utter, derived from a higher source than himself, would fall upon my ear like whispers from Heaven. The moment I gathered that the man at whose feet I knelt knew

as much of the sort of sins I had indulged in as I did myself, and, still more, if he showed by his questions that he was acquainted with refinements and intricacies of vice to which I, with all my lawless roving, was a stranger, the charm which drew me to him would be gone. In spite of his apparent sanctity I should recognise a fellow-sinner in the chair. I should think, if I did not say, that you cannot touch pitch without being defiled, and that it is given to no child of Adam, to no one who shares in those tendencies of our nature which theologians describe as the heritage of the Fall—it is given, I should say, to no such person to become familiar with all the possible phases of moral pollution without being himself polluted. Hence, the innocence of ignorance in the confessor would be to me the great power of the confessional, and on this bargain I would accept my youthful priest with all his immaturity. But this is not, it appears, his own view of the case. He wants to know all that penitent sinners know too well; so he goes for "special instruction to such books as "*The Priest in Absolution*," and reads there, as one of the duties of his calling, things which decent men cannot think of without a feeling of disgust. Now this to the priest himself is very dangerous ground. There are two ways of sinning, through the senses and through the imagination; one is as efficient as the other, and both are equally bad. If a man thinks a bad thing, gloats over it, and would will it if he dared, I think he would not be much worse morally if he went and did it. Ethics are laws of mind, not of matter, and they can be violated all round without the instrumentality of the senses.




To be moral is to be pure, and not merely to abstain from breaking the letter of particular rules. Hence many a man who has sat on the cutty stool may not have been so bad as some sacerdotal purist whose professions are as white as his surplice, who can say of the Ten Commandments, "All these things have I kept from my youth up," but whose heart is saturated and soddened with the vices which his lips condemn. I know it may be said of the priest that in his case the Divine promise is fulfilled, "They shall take up serpents, and if they drink any deadly thing it shall not hurt them," but God's grace is sometimes withheld, and then we know what follows. It seems to me that for priests and laity alike the best plan is not to dare the Devil too far. So much for the priest as a spiritual doctor ; let us now look at him in practice. Before he can prescribe for his patient he must know the precise nature of the malady, and to acquire this knowledge he must feel his or her spiritual pulse by a course of examination. This our priestly informant assumes to be carrying out the injunction of St. Paul, where he says, "Let a man examine himself," just as if the Apostle had said, "Let another man examine him." Self-examination is one thing ; examination by somebody else is another thing, and is nowhere enjoined, while by implication it is forbidden. I shall not pursue the inquiry as to what passes between the priest and the penitent. When a dirty puddle is stirred I prefer moving off to windward. But I protest, both on moral and theological grounds, against raking up the filthy details of sin. It cannot be necessary even for absolution. For sin of any and every shape and shade there is but

one remedy to be prescribed. The moral remedy is, "Be sorry for it, depart from it, don't do it again;" the theological counterpart, which may also be considered as an anodyne and health restorer, is "forgiveness," or what is described in dear old puritan writings as "a sense of pardon." The analogy attempted to be established between the priestly physician of souls and the lay physician of bodies utterly breaks down. There is a whole pharmacopœia of remedies for the ailments that the flesh is heir to ; there is one mode of treatment for scarlet fever, another for gout, another for diphtheria, and so on all through the list. But for all spiritual maladies, however various and whatever their complications, there is but one remedy : " Put away the evil of your doings from before mine eyes ; cease to do evil, learn to do well "—this, along with the Act of Oblivion accorded to contrite sinners by the clemency of the Most High. He who bestows the pardon knows all the ramifications and all the aggravations of the sin, and His ministers have no need to stain their own souls by prying into its pruriency. Of course, this is not the priest's theory, and it is as well that they should know what that theory is. Briefly it is this : All men are by nature doubly damned. The stain of original sin they bring into the world with them dooms them to perdition, and every mortal sin they commit carries the same penalty. But God has devised a method by which we may escape these consequences. Baptism washes away the taint of original sin and makes the soul as white as an angel. For sins committed after baptism there is but one remedy ; confession to a priest and the absolution he pro-



nounces. The source of pardon is God's mercy ; but it is exercised only through His lawfully-commissioned ministers—that is, through those who are in the Apostolical order of succession. Some drops of mercy may possibly fall outside the selected channel, but we cannot be sure of a blessing so dispensed. Certain pardon can only be had at the priest's hands, since he is the only authority competent to bestow it. He is the only mediator through whom alone you can go to God or God can come to you. Hence it is not enough that God knows all about a man's sin, the priest must know all about it too. By your help he must seek to become omniscient so far as your heart is concerned, in order that he may know how to exercise his administrative functions rightly. He pardons for "this time only." If an hour after receiving absolution for past sins you sin again, you will certainly go to hell unless you go and tell him of it, and get a fresh absolution. Thus the priest is Heaven's universal medicine man. He keeps its mercy bottled up, to be administered to penitent sinners in sufficient doses from week to week or from day to day, as occasion may require. It is difficult to do justice to the system without using language that sounds like exaggeration, but I don't think I have gone beyond lawful bounds. But it *is* a system, logically consistent in all its parts. The priest takes his place in it just as a physician at the Hospital or the lawyer at Nisi Prius. His knowledge and his duties are just as professional as theirs. His priestly ordination is his diploma, registered in the Court of Heaven, which no man living may question, and, once bestowed, is irrevocable.

He has his rules of practice, his guides, manuals, and leading cases, just like a practitioner in Chancery. When his day's work is done he can sit down comfortably to supper counting how many times since morning he has opened or shut the gates of Heaven. All this was once universally believed, and in those Ages of Faith all Europe lay at the feet of the priesthood. It is not extensively believed now, except in what remains of the Church of those ages, and to that Communion I do not intend my strictures to refer. I confine myself exclusively to the Church in which I have a common law right of inheritance. Forty years ago not a member of that Church believed it, but the belief exists now, and is spreading. The Society of the Holy Cross are its avowed confessors and propagandists, and all those clergymen who accept the Anglo-Catholic theory are pre-disposed to welcome the flattering fiction, if it may not be said that they hold it implicitly already. I have too much faith in my countrymen, I place too much reliance upon their intelligence, their common sense, their inherited love of freedom, their firm and loving grasp of the glorious heritage of modern thought, to believe for a moment in the wide diffusion, and still less in the ultimate triumph, of a system as certainly fatal in the long run to the moral, as it would be at once to the intellectual, interests of man. But, if it were possible to be otherwise, and "The Priest in Absolution" were established in every parish, I should quietly turn Pagan, and worship Thor and Woden after the fashion of my ancestors.




LIABILITIES OF EMPLOYERS.

No. I.


OUR English ancestors of the days of Alfred were fine fellows no doubt, but they allowed some practices which their distant children have learned to condemn, and, for one thing, they certainly held slaves. The fabric of society was much less simple than is commonly imagined. There were the noble, who had land and rank ; the free, who had land without rank ; and the unfree, who had neither rank nor land, but cultivated the land of others ; and in each of these classes, with the exception of the last, there were numerous subdivisions, separated from each other by shades of difference which we are not in all cases able to appreciate. But, below them all, below even the lowest, there was a lower grade, consisting of persons and their families who were not merely unfree, but positively enslaved ; who had no personal rights of any kind ; who were as much the property of their masters as so many horses and sheep ; whose business it was to do just as they were bid, and who might be flogged or put to death without the slightest notice being taken of the transaction. I have to say nothing further of the institution of slavery as it then existed except on one point, viz., its bearing upon the question of compensation for injuries. Every freeman was of course answerable for himself. If he injured any other free man

he had to pay a fine in proportion to the damage done. But slaves were only answerable to and through their masters. Hence, if the Gurth or Wamba of those days injured any third party in body or estate, it was not of Gurth or of Wamba that the injured party sought compensation, but of their master. On the other hand, if Gurth broke Wamba's arm, and so maimed him for life, Wamba had no compensation to expect from anybody. In the eye of the law and in the opinion of society, though it was Wamba's leg that had been broken, it was Wamba's master who had experienced the injury. The slave, being nobody and nothing to begin with, had lost nothing, but the master to whom he belonged had lost an able-bodied slave, and got instead a crippled and helpless one, a thing so much damaged that it would hardly be worth its keep, and might perhaps as well be despatched at once. Thus two rules sprang from the constitution of society as it existed amongst our forefathers: first, a master was liable for any injuries done by his servants to third parties; secondly, a master was not liable for any injuries his servants might do to one another. Such was the law then, and it is almost amazing to think that such is the law now. These two rules, which were a part of the common law of English society in the days of King Alfred, are a part of the common law of England in the days of Queen Victoria. A pointsman on a railway turns an advancing train upon the wrong line. There is a smash, a passenger and a guard are killed. The wife of the passenger brings an action and gets damages for the loss she has sustained by the death of her husband



through the fault of the Company's servants, and the jury give a verdict in her favour. The guard also leaves behind him a wife, and perhaps five small children, but she brings no action, because it would be of no use. Her husband has met his death through the fault of one of the Company's servants, but he also was a servant of the Company, and as they were "in common service," that is, both servants of the same master, the Company cannot be compelled to pay her a single farthing. A manager or sub-manager of a coal mine orders a ventilating fan to be taken away. Through the absence of the fan there is an accumulation of foul air, and presently an explosion which kills fifty workpeople in the mine. If a person not connected with the company to whom the mine belonged happened to be on business at the time near the shaft of the pit, and to be injured by the explosion, he would have a case for damages against the proprietors, but as regards the fifty workpeople who were killed, not one of their wives or children would have the slightest claim. The stranger was a third party, and as regards him the master is answerable for his servants, but the workpeople were in "common service" with the manager, and the master is not answerable at all. Such, as a matter of fact, is the identity of the law as it was in early English times with the law as it is to-day as regards the liability of employers for injuries done by their servants to the public and to each other. This constitutes the grievance which the working miners lately brought before the House of Commons through Mr. Macdonald's Bill, but their case will be made a little clearer

if I explain by what means the modern law on the subject has been made to revert so completely to its ancient type. Abundant information will be found on this part of the subject in the recently published Report of the Select Committee to which Mr. Macdonald's Bill was referred, and before which those eminent Judges, Sir George Bramwell and Sir W. B. Brett, gave evidence. As a starting point in this further explanation, let it be understood that, by the law of England, every man is liable for any injuries accruing to others by his own acts, whether of commission or of omission. If a master, by his direct action, or by his negligence or his wilful default, causes any injury to one of his workmen, he is liable for such injury, and a jury would award damages against him. This is a natural rule, corresponding alike with justice and with common sense, and it will be found to govern the whole question. But this rule of natural equity has been so enlarged upon that it is virtually set aside in the great majority of cases in which injuries have been caused to one person by the conduct of another. First, there is the rule that a master is liable for the negligence of his servants where third parties are the sufferers. The master may have absolutely nothing to do with it; the acts complained of may have been done not only without his knowledge but in defiance of his orders; yet if damage accrues to a third party the master is liable. A tradition of the bar assigns the first laying down of this principle to a case decided before Judge Holt in the reign of Charles II., but though the law was then declared for the first time, Sir George Bramwell cautions us against sup-



posing that the law then began to exist. In his opinion it was then, and had been from time immemorial, the law of England. Both he and Sir W. Brett regard it as an unjust and unreasonable law, and they seem puzzled to account for it. They are asked whether it is not an instance of "Judge-made law," but they waive the soft impeachment. It was indeed declared by the Judge on the occasion referred to, but he declared it to be the law because it was the law, he acting not as its creator but only as its interpreter. Can it have been based upon the maxim, "*Qui facit per alium facit per se*?" Clearly not, think both these learned Judges, for there can surely be no agency where the act complained of has been done without the knowledge and in disobedience to the orders of the master. Sir George Bramwell says he "has heard it suggested that it is derived from the old Roman law which made a man liable for the acts of his slave, pretty much in the same way as a man is now liable for the act of his horse or his cow or cattle if they go astray," and he adds that he thinks this is "a very inadequate reason." Inadequate no doubt it is as a logical reason, but not inadequate, perhaps, as an historical explanation of the way in which it came to find a place in our common law. The common law abounds in inequitable provisions of a similar kind, and they have been so numerous from the earliest times that a Court of Equity sprang up for the purpose of correcting them. But why should Sir George Bramwell refer to Roman law, when the very law itself is to be found among the rude jurisprudence of our own ancestors? A good many axioms were imported

by English lawyers from the Roman law in the fourteenth and fifteenth centuries, but it is much more likely that the old English law lived on than that a law of the same character, and equally unreasonable according to modern views, should have been brought in from a foreign domicile. The law which makes a master responsible for the negligence of his servants was not unreasonable when it applied to a master and his slaves ; the unreasonableness lies in applying it to a state of society in which there are no slaves. How the law, being already in existence, continued to be applied when the state of things in which it originated had passed away, will be best understood by remembering that the effect of the feudal system, as developed in this country after the Norman conquest, was to reduce the great mass of the people to virtual slavery, so that a maxim which had applied to a very small proportion of the population in the time of Alfred would seem to be naturally applicable to the great mass of the nation in the times of the earlier Plantagenets. Hence I venture to hold that the law which Judges Bramwell and Brett find so unreasonable, and of which they are unable to give the origin, though one of them has heard it ascribed to the Roman slave law, is really an old English law which lived in the "breasts of the judges" till it was asserted by Judge Holt in the reign of Charles II. But if a master is liable for an injury done by a servant to a third party, why not for an injury done to a fellow-servant ? This question was raised and settled in the negative by the case of "*Priestley v. Fowler*," in the year 1837, and the same view has been affirmed by a series of

more recent decisions. A workman, it is now settled, has no claim upon his master for compensation for injuries suffered by him through the negligence of a fellow-servant. They are "in common service," and that is enough to bar a claim for damages. This, as I have shown, is the counterpart of the old English law, and it was reasonable enough at a time when a master's servants were his absolute chattels. I don't say it is reasonable now, for a man ought to be liable only for his own acts or for the acts of his agents; but when the Judges had laid it down as a rule of law that a master was liable to third parties, it is not obvious at first sight why a workman should be debarred from his claim by the mere fact that he is a fellow-servant of the man who did the injury. As the Judges could not go back to ancient times for a justification of the rule, they had recourse to a bold fiction. They held that every workman, when he engaged to work for a master, entered into a contract to hold him irresponsible for any injuries he might suffer in the course of his employment through the negligence of his fellow-workmen. As a matter of fact no such contract is entered into. Neither master nor workman ever thinks of the subject at all when the agreement of service is made. Judge Brett is emphatic on this point. It follows that the workman has been ousted out of what he believed to be a right by a judge-made fact which has no real existence; by the assumed force of a contract which was never dreamed of by the alleged contracting parties. The rule of "common service" has been extended by recent decisions to an intolerable length. It has been held that the manager of a colliery is

in "common service" with the colliers in the mine. It has been held that the general manager of a gas works or of a railway company is "in common service" with the man who looks after the mains or the porter who attends to the passengers' luggage. It has been held that "the servants of a contractor are the fellow-servants of the servants of the person for whom the contractor is at work; in short, that every person employed by a master is the fellow-servant of every other person" so employed. Only one step has to be taken to clear the master of all liability. He has only to hand over his works to the care of a manager, and go and live a hundred miles away, to leave his workpeople without the ghost of a claim for compensation in cases of the grossest negligence. Lord Dudley derives an immense income from his mines, but though his Lordship is understood to give a good deal of his time to the management of a theatre, he takes no part whatever in the management of his collieries; and hence, though a hundred lives are lost through the negligence of those who act for him, not one of the widows and orphans who are left destitute and helpless can get a farthing of compensation. If he was a small employer, and managed his own mine, he would be responsible for his own negligence; but being a great employer, and handing everything over to paid servants, he cannot be touched. Neither can they, the magical formula of "common service" barring all claims. Here is clearly a subject for legislation, but into this part of the question I have left myself no space to enter now, though I may do so on some future occasion.

LIABILITIES OF EMPLOYERS.

No. II.

IN discussing last week the liabilities of employers for injuries done by their servants, whether to a fellow-servant or to the public, I drew attention to the two leading rules of common law on this subject as laid down by English judges, and sought, I think not unsuccessfully, to identify them with two precisely similar rules which, in the earliest periods of English history, were applicable to the relations of master and slave. The two rules are, first, that an employer is liable for any injury which his servants in the course of their employment may do to a third party ; and, secondly, that he is not liable for injuries similarly done by one of his servants to another, the mere fact of their being engaged in "common service" being held to bar all claim. I reserve the second of these rules for discussion hereafter, when I shall be able to examine it in connection with the evidence recently given before the Select Committee of the House of Commons already referred to. My present remarks will, therefore, be confined to the first rule, namely, that which holds an employer liable for injuries done by his servants to third parties. This rule clearly originated in slavery. It expressed the rude attempt of a rough-and-ready people to adjust the institution of personal slavery to

the other institutions of a society which was essentially free, and to which slavery was merely an accidental adjunct. The number of slaves in early English times was probably small as compared with the rest of the population. They had fallen into bondage in various ways. Some had been captured in war and become the slaves of their victors. Others had voluntarily sold themselves into slavery as a means of subsistence; they were too poor to afford to be free, and had become slaves in order to obtain bread. Others had gambled themselves away—for there is reason to believe that our ancestors were terrible gamblers, and, having staked and lost everything else they possessed, staked and lost themselves. Dr. Freitag, in one of his series of stories entitled “Die Ahnen,” which are devoted to a resuscitation of the manners and customs of those ancient times,* gives us a vivid picture of a young Teuton who took to gambling to relieve the wearisomeness of a short captivity, and lost himself to his captors, thus becoming theirs by a double right. But, by whatever means they had lost their freedom, the slaves of an English ceorl or thegn were the absolute property of their masters. If any of them injured any free member of the community in body or estate, the person so injured never dreamed of going to the slave for compensation, any more than he would have dreamed of going to the horse or the cattle which had damaged his homestead enclosures; but went straight to the slave’s master. Sir George Bramwell, as I said in my last

* Based of course upon the hints in Tacitus, *vide Germania*, c. 24.

letter, when asked by the Select Committee how his maxim *Respondeat superior* became a part of our common law, pleaded ignorance as to its history previous to the time when it was authoritatively laid down by Judge Holt in the reign of Charles II. He had no doubt, however, that it had been the law all along, and could only say as to its origin that he had heard of its being traced back to the Roman law and the slave institutions of Rome. In this "tracing" process there is no need to go across the water. We find the very rule "alive and kicking" in the jurisprudence of our own ancestors, nor can there be any reasonable doubt that it has survived as a principle of common law from their time to ours. Now, this rule, that a master shall be liable to third parties for injuries done by his servants, was not unreasonable at a period when those servants were slaves. First, as the slave had no civil status, he could not figure in a court of law, and his master necessarily had to answer for him. Then, as a slave he had to do absolutely his master's bidding, wherein if he failed the master could punish him to the full measure of his deserts. Moreover, being incapable of free action, it was only logical not to credit him with a responsible will, but to treat him like other living chattels of the farm, for whose freaks and forays their owner was clearly answerable. The English common law, like the English Constitution, is the result, not of manufacture, but of growth—that is, the principles of jurisprudence previously in existence have been adapted from time to time to the altered circumstances of society and the wisdom—sometimes too narrow and technical—of

our judges. Hence the old slave law flourishes now, though servants are as free as their masters, and it is held impossible for a slave to breathe the air of England. In the reign of Charles II. a groom in charge of his master's horse causes some damage in Lincoln's Inn Fields, and a suit for compensation is brought against him and his master. The master was not with him, had neither authorised him to do the damage complained of nor sanctioned it when done. The groom in doing it had probably displeased his master as much as he had injured the third party. On what decent ground of natural justice, therefore, was the master to be held responsible? But those who brought the action knew the law, the judge upheld the plea, holding that the master was jointly answerable, and the jury returned a verdict against both. So here the slave law is bodily disinterred and applied as a living force to a free community. No Legislature would have passed a law so manifestly inequitable, but the judge found it in existence as part of his legal stock in trade, and promulgated it afresh from the Bench. "*Respondeat superior*," let the master answer for it, said the judge, and that is the law now. Two hundred years ago the rule, though unjust, probably occasioned but little inconvenience. A man's servants were for the most part his menial servants. Trading and manufacturing operations were conducted on a small scale. There were but few large capitalists, and extensive enterprises, requiring the organised labour of thousands of workpeople, were unknown. The master manufacturer of those days superintended his own business in all its details. Nothing could be done without

his orders, and if any injury was done to third parties it might in most cases be traced to his personal action, for which he was then, as he is now, and ought always to be, responsible. So the rule then did but little harm, but very different is the case to-day. Take the railways for example. The Railway Companies have no friends. There is a buzz of jubilation in the public mind when they are let in for heavy damages. Sometimes the damages are deserved, but sometimes also they suffer most iniquitously. We apply to them the rough and ready rule that a master is liable for his servants, and the result is far from being consonant with an unsophisticated sense of justice. Let us see how the case stands with the Railway Companies. In the first place they are not liable for the consequences of a pure accident. A tire of a wheel cracks and flies off, the engine leaves the line, and a passenger breaks his arm. Experts are called, and it is proved to the satisfaction of a jury that the tire of the wheel broke because there was a secret flaw in its composition, congenital with its manufacture, and undiscoverable on the most careful inspection. Nobody could help it; all are to be pitied; and nobody can claim damages. Another accident happens through carelessness. A pointsman turns an advancing train on to a wrong line, or, where there is only a single line of rails, the omission of the guard to take his baton with him leads to a collision, and injuries of a serious kind are inflicted upon the passengers. In these cases there is a verdict of manslaughter against the pointsman and guard, and the Company are liable for compensation. Now, I will not undertake to say that considerations may not

be adduced which would make it appear to be proper, as a matter of public expediency, that Railway Companies should be liable, within certain fixed pecuniary limits, for all injuries suffered by passengers on their lines, saving, of course, those to which the complainants contributed by their own conduct. That is a question for the Legislature. But what I do not hesitate to say is that the rule of common law, traceable to no legislative decision, but simply handed down to us from an ancient and very different state of society, which makes the Company answerable in heavy damages, not for anything the Company did or might have prevented, for no act of omission or commission on their part or on the part of any of the higher servants to whom they delegate their powers, but solely from the carelessness of one of their subordinate servants, is not a just rule—not a rule which corresponds to the dictates of common equity or common sense. Can it be right to punish a man, either in person or in pocket, for something he never did, and had not the slightest share in doing? Is it more reasonable to require an employer to guarantee the public against an occasional act of forgetfulness or of negligence on the part of every one of ten thousand servants, than it is to guarantee them against an undiscovered and undiscoverable flaw in the tire of a wheel? Is the composition of a human being more open to calculation, to foresight, to assurance, than the composition of a block of steel? We sometimes talk as if the organisation of society was complete. I rather fear the truth is that society is hardly organised at all. We steer our course into new conditions of social life, where new con-

tingencies have to be met and new dangers faced, and we content ourselves with the old maxims of navigation. We find that, by the new modes of travelling which have followed the invention of the steam engine, people are liable now and then to serious injuries, and, instead of devising some new mechanism of law or of social arrangement to meet the case, we fall back upon an old slave maxim and cry out, *Respondeat superior*. We virtually pick out the master from among the rest of the community, and subject him to a tyrannical and arbitrary law from which all other citizens are exempt. We write out fair and large on one page of our law books that no man shall be answerable except for his own actions; and we have written out on the other page the contradictory maxim that some men shall be answerable for the actions of others. The proportion of injuries inflicted on railways is wonderfully small as compared with the whole number of persons who travel, and the principle of assurance, intelligently and systematically employed, would meet the case. The Railway Companies might find it worth while to insure all their passengers, charging a small addition to the fare to cover the premium; but it is really a question whether the duty of insurance is not incumbent upon the passengers; whether, in short, the liability to accident on railways should not be regarded as one of the ordinary risks of life against which prudent people make their own provision. There is of course a wide sphere within which the responsibility of Railway Companies may properly be enforced—that, namely, which is covered by the immediate action of the Company

itself or of its superior officers, who ought to be regarded not as servants but as representatives and agents. Here the common rule of universal equity applies, that a man or a society of men should be answerable for what they themselves do; the only thing against which I protest is the rule which charges upon them the faults of others, a rule which would never be laid down now for the first time if it had to be enacted, and only lives as a survival from a period of barbarism. The present method of providing compensation for railway accidents is not only unjust but utterly demoralising. Saving the income tax, there is no one subject upon which more lies are told and more shameful imposition practised. In assessing damages, not less than in the rule for awarding them, we go back to the usage of our ancestors. A man used to be compensated according to the number of "hides of land" he held. That settled his value in the eye of the law. He is compensated now according to the amount of his income derivable from his personal exertions. William Smith, joiner, gets into a third-class railway carriage on a journey of a hundred miles, for which he pays eight and fourpence. He gets killed in a collision, his widow brings an action, and is awarded perhaps £200—enough to set her up in a shop. Julius Tomkins, Esq., a professional man in large practice, gets into a first-class carriage on his way to his suburban residence, paying perhaps a shilling. He is disabled by the same disaster, and a jury award him perhaps £6,000. What rule of equity is discoverable in these different awards? Why should the Company pay thirty times as much for disabling Tomkins as

they had to pay for killing Smith? It is all a rule of thumb, thoroughly inequitable, and illustrating nothing more than the absence of duly organised arrangements in a community which prides itself upon being the flower and pride of civilisation. When such large sums are claimed and awarded, it is only fair that a man should declare his value beforehand and pay accordingly. So long as Railway Companies are liable for the acts of their servants, the least concession we ought to make to them would be to fix a minimum rate of compensation in the case of Smith and a maximum rate in the case of Tomkins, both to be kept within reasonable limits; but, if we wished to bring this part of our judicial economy into complete harmony with justice, we should at once abolish the unfair maxim which our judges have disinterred from the wreck of the past and newly promulgated; establish in its place the only honest rule that men, whether singly or in bodies, are only to be punished for what they do, not for what they don't do; and then call in the actuary to aid us in devising some mode of providing against those casualties which will always happen so long as iron is iron and men are men.



LIABILITIES OF EMPLOYERS.

No. III.

A FORTNIGHT ago I discussed from an historical point of view the two rules of common law which determine the liability of employers for injuries done by their workpeople—viz., first, the maxim “*Respondeat superior*,” according to which an employer is liable for injuries done in the course of their employment by his workpeople to third parties, even when done without his knowledge or consent, or even against his orders; and, secondly, the maxim that “common service,” the fact that the workman causing and the workman suffering the injury are employed by the same master, is a bar against all claim upon the latter for compensation. Last week I discussed the first of these maxims in its practical application to employers, and endeavoured to show its essential injustice, taking as an illustration the case of railway companies. I propose now to wind up the discussion by considering the second maxim or rule of law in its practical effect upon the workman. I have already said that down to 1837 it was supposed that a workman suffering injury at the hands of a fellow-workman had the same claim to compensation from their common employer as a stranger would have in the same circumstances. In that year, however, in the case of *Priestley v.*

Fowler, it was decided otherwise, and the decision has been repeatedly upheld. Why a workman should be excluded from a remedy which is open to an outsider is by no means clear. I have shown that both maxims alike had their origin in the institution of slavery as it existed in England a thousand years ago; but as slavery cannot now be cited in our courts of law for the purpose of supplying a reason for their decisions, some modern reason had to be coined for the occasion, and our judges found what they wanted in the pure fiction that a workman, on entering into the service of an employer, enters into a contract with his employer not to hold him answerable for any injuries the said workman may suffer from his fellow-workmen. On the foundation of this fancied contract, which is as completely a creature of the imagination as a griffin or a unicorn, the workman has been done out of the right which he formerly believed that he possessed. Moreover, by extending the idea of common service, so as to take in all persons of all grades of employment who receive wages or salaries from a common employer, the workman is effectually shut out from all compensation. He may bring an action against the workman who has injured him, but in most cases he would simply have to pay his own costs, since it is impossible to get blood out of a stone, and a man who has nothing can pay nothing. He might sue a manager with better hopes, but managers have only their salaries to live upon, and are not in a position to pay damages. The proprietor is of course liable for injuries occurring from his own negligence,

or from any wrong orders he may have given, but proprietors generally devolve the entire management of their mines upon persons who are paid to relieve them from all care and concern in the matter, and as these persons, however high their rank, are in "common service" with the humblest workman, nobody is answerable, and the proprietor always goes scot free. A good many members of the House of Lords are extensive colliery proprietors, deriving in some cases enormous incomes from their collieries; but these noble lords never gave an order in their lives. No ingenuity can attach any responsibility to them, and, as all whom they employ are in "common service," the very idea of liability evaporates. There is a regular hierarchy of officials in the working of collieries. First, says Mr. William Crawford, secretary to the Durham Miners, there is the consulting manager, or mining engineer, having charge, in many cases, of eight or ten pits. Under him there are managers overlooking, it may be two, three, or four pits. Then comes the resident or certificated manager, having, as a rule, charge of one pit. We have then the over-man, the bank over-man, the master shifter, and "recently the owners have declared that the deputies are agents or responsible charge men," though this class in Durham alone numbers not less than 4,000 hands. These are the people whom the hewer of coal in the mine has to obey, and upon whose skill, diligence, and watchful care he depends for his life. Remissness on their part may lead to his being blown to atoms, but, if he gets killed, no matter how crude the negligence which occasioned it, his

family have no claim for compensation against anybody, for the whole hierarchy of the mine are in "common employment" with himself. The question is, how are we to remedy this state of things? By what means can the rights of the workman be duly protected without inflicting injustice upon the employer? On the part of the workmen it has been urged that the law as declared by the case of *Priestley v. Fowler* ought to be annulled, and the workman be held to have the same rights against an employer as a stranger has. For reasons explained last week, I cannot think that the desired change is to be found in this direction. If the maxim "*Respondeat superior*" is unjust where the injuries for which compensation is sought have been suffered by strangers or third parties, it would not be less unjust if extended so as to embrace the case of a workman injured by his fellow-workman. Accidents often arise from the neglect of the most common precautions by individual miners. A man, for example, removes the lid of his safety lamp in order to light his pipe, and an explosion ensues. Of course this simple fact may raise several questions, some perhaps involving the general management of the mine. It may be through defective management that foul air has been allowed to accumulate, and in the absence of foul air the man might have lighted his pipe without danger. On the other hand, the parties who are responsible for the orderly working of the mine may have systematically winked at a neglect of ordinary precautions, and may have tolerated workmen who have been complained of as notorious breakers of the pit rules.

Such matters, of course, would have to be inquired into, and might complicate the verdict. But, setting these aside, and assuming that a particular accident has been caused by the criminal incautiousness of a workman, it would certainly not be just to fix liability upon the employer. For my part I would fling the maxim "*Respondeat superior*" altogether aside. Instead of seeking protection for the workman by so extending it as to bring him under its provisions, I would annul it or seriously modify it in all cases. To arrive at a just solution we must start from the sounder rule of law, that a man is responsible only for his own acts (whether of commission or omission of course) or those of his agents. If this principle is applied, with the adaptations rendered necessary by the more elaborate organisation of modern industrial undertakings, it will cover a large proportion of the cases in which workpeople suffer injury in the course of their employment. The Select Committee of the House of Commons, who have recently investigated the subject, complain that the existing law as affecting the liabilities of employers is but imperfectly known. This arises in part from its being a fragment of our common law, and therefore to be found, not in legislative enactments, but in reported cases which are scattered through the law books, and known only to experts. It arises also from the contradictory principles which, as I have shown, have been disinterred from remote tradition and taken under the patronage of the judges. The law as it stands is thus stated by the Committee in their Report: "A master is not altogether free from liability to his servant for injuries resulting

in the course of his employment. If it can be shown that the master has omitted to provide the servant with proper material and resources for the work (such as engines or scaffolding), or has been negligent in his choice of the person to whom he entrusts the supply of such materials or the arrangement of such work, the master is liable even to his own servant for any injury resulting from such omission or negligence." The principles here laid down are of a very wide application, but here comes the difficulty. "To establish this liability," says the Report, "it must be brought home to the master personally. The development of modern industry has created large numbers of employing bodies, such as corporations and public companies, to whom it is not possible to bring home such personal default, and there are other cases in which masters leave the whole conduct of their business to agents and managers, themselves taking no personal part whatever either in the supply of material or in the choice of subordinate servants." The Report proceeds: "Your Committee are of opinion that in cases such as these, that is, where the actual employers cannot actually discharge their duties as masters, or where they deliberately abandon their functions and delegate them to agents, the acts and defaults of the agents who thus discharge the duties and fulfil the functions of masters should be considered as the personal acts or defaults of the principals and employers, and should impose the same liability on such principals and employers as they would have been subject to had they been acting personally in the conduct of their business, notwithstanding that such

agents are technically in the employment of their principals. The fact of such a delegation of authority would have to be established in each case, but this would not be a matter of difficulty." The Committee are also of opinion that the doctrine of common employment has been carried too far when workmen employed by a contractor, and workmen employed by a person or company who has employed such contractor, are considered as being in the same common employment. Their recommendations are more restricted than could have been desired, far more so than those embodied in the minority report drawn up by Mr. Lowe, who took much broader views of the question, and much more favourable to the workmen. The Committee found themselves trammelled with the doctrine of "common employment," and, absurd as it is, they were anxious not to abandon it. If the changes they suggest are adopted, the working collier will still be bound to obey the orders of a series of chiefs who are to all intents and purposes his immediate masters, but whose acts or defaults will in no case commit the proprietor. Nevertheless, a great step will be taken when the certificated manager of the pit, and the general manager of the colliery, are treated as in so far the representatives and agents of the proprietor that he will be liable for what they do in his name. It will send, at all events, a whiff of responsibility through the foul windings of the colliery system, and lead to greater zeal in the adoption of all possible precautions. As the manager will be held answerable for the selection of proper servants, he may be expected to weed out of the pit those careless men

who risk their own and their fellow-workmen's lives for a momentary gratification, and he will be laid under much stronger inducements than he has now to listen to the representations of the people employed under him. The owner will also take care that fit men are appointed to responsible posts. A regard for his pocket will reinforce his regard for humanity, and the result will be beneficial all round. I for one am tired of hearing of colliery accidents. There are no accidents. It is all a matter of science and care. With adequate knowledge and an undeviating use of it there would be no explosions. Let us hope that we are on the eve of an era of practical reform in the working of coal-mines, and that those of our fellow-countrymen who supply our wants by engaging in one of the least attractive departments of labour, will not, in addition to the inevitable privations of their employment, have to run a daily risk of death.



THE NEW TOWN HALL.


It is opened at last. I mean, of course, that resplendent building which is destined to figure for many ages to come as one of the glories of Manchester. It has been opened, too, with no lack of decorous jubilation, and in the midst of an outburst of enthusiasm which is none the worse for being entirely spontaneous and of the purest home-growth. Those obscure intriguers who succeeded but too well in depriving us of the presence of the Queen could carry their spite no further. They could not clear the roofs of a forest of waving banners, nor silence the music of the joy-bells, nor lay an interdict on the banquet, nor send a troop of dragoons to establish desolation in the halls that resounded last night with the timbrel and the dance, nor prevent the mustering of fifty thousand guilds-men from the ranks of labour to take their part in a celebration which, to those who have eyes to see, represents above everything else the triumphs of human industry in building up stately commonwealths and replenishing the wants of mankind. In the absence of royalty we have sustained no loss which we are not able to bear with utter resignation, and so completely have we succeeded in purging our hearts from the dross of vindictiveness that I venture to say we think with feelings

of commiseration of the Gracious Lady who, instead of basking on Thursday in the sunshine of her subjects' smiles, was seated shivering at an hotel window on the forlorn shores of Loch Maree, imprisoned by a retributive down-pour from the skies. Very curious is it to observe the laws of compensation and reaction as exemplified in the sentiments of mankind. If the man-made sovereignty of the throne withholds its approbation, its functions are more than replaced by the larger gush of honour that rises at once from its perennial fount, the heaven-made sovereignty of the people. The slight elaborately devised to wound our chief magistrate has rebounded, and comes back transfigured into such tokens of respect as have seldom been paid to any citizen. If a Persian pilgrim chanced to be wandering on our streets, and reading our papers, and looking into our shop windows, he would assuredly scent conspiracy, and telegraph home that England was apparently on the verge of a dynastic change. These golden keys, these costly albums, these solemn addresses of congratulation, and almost of fealty, these mustering of the lieges in tens of thousands at the invitation of their civic chief, would fall upon his senses as so many indubitable signs of full-blown treason, and his master the Sultan would no doubt implicitly believe his assurance that either the head of Heywood must come off or Victoria cease to reign. Even my loyal heart, I confess it, experienced a startling sensation, when I found that medals, trusting solely to the evidence of my eyes, in gold and silver, had been struck in honour of the occasion, and that on the obverse of these medals there appeared two

imperial-looking effigies undoubtedly intended to represent the Mayor and Mayoress, but bearing an ominous resemblance to the "William and Mary" on the old coins of the Revolution. It is well, perhaps, for all parties that we live in Victorian and not in Plantagenet nor even Tudor times. Now for the building itself, and the first remark I have to make of it is that, although "a thing of beauty," it is no mere sacrifice to beauty, but has its justification in necessity and solid use. It is in fact a great workshop, where the representatives and servants of the community will toil incessantly by brain and hand for the common good. It is the head-quarters of those beneficent powers that light our streets and houses, that supply us with an abundance of wholesome water, that remove from our midst the ever-accumulating masses of refuse which would else breed pestilence, that preside over the manifold interests of public security, order, and health. The most important part of the labour thus devoted to the welfare of the public is unpaid labour—a service done to us without fee or reward, though at an enormous sacrifice to the individuals who render it, and the least we can do is to see that it is decently and conveniently housed. In the arrangements of the New Town Hall, nothing is sacrificed to mere show. The first care of the architect was to provide exactly what was wanted, and only when this object was gained did he proceed to clothe the erection with the structural beauties of art. I have heard some people complain of the money that has been spent upon the building, and heave a sigh in the interests of what they deem economy. No doubt a building

of equal size could have been built more cheaply, or rather could have been put up at a smaller cost. We might have had a magnificent frontage with red brick sides, or we might have spared some of the elaborate stonework in Lloyd-street on the supposition that it would be seldom seen. Now there is such a thing as morality in architecture. There is such a thing as telling lies in stone. It is possible to embody a whole brood of meannesses and vices in a building, to fancy that nobody will find them out, and to plume ourselves upon our cleverness in making the largest show at the smallest cost. In matters of devotion, as well as of business, I would far sooner distrust a man who put up a false frontage to his house than one who didn't say his prayers. For my part, I am visionary enough to believe that the morals of a Christian man may be exercised in this as well as in other things which fall more obviously within the ethical domain. We sin against them fearfully in the domestic architecture of Manchester, and the enormities we see practised in the endeavour to cheat the senses, to make what is little appear grand, and what is intrinsically ugly carry a patch of beauty on its most prominent feature, are enough to sadden an upright heart. Private vices we cannot help. They must be left to each man's taste, or conscience, or knowledge, the last being generally, and happily, the deficient factor; but a great community, in the erection of public buildings, is bound to act under a solemn sense of duty, and the works upon which its corporate seal is set should be models of integrity and truthfulness. Nor is this all. Garish or artificial ornament

is an offence against the morality of art ; but, in point of structural form, a great public building should be as beautiful as the skill of man can make it. To fail in doing this is to sacrifice a great opportunity for promoting the refinement and ministering to the delight of mankind. A great architectural composition deserves to take rank with a great epic or dramatic poem, and there are some in existence which speak to the heart as directly, and stir it as profoundly, as the creations of Shakspeare or Schiller. To slur over or blight by ill-timed penuriousness a fine conception which, once embodied in stone, would be a joy for all time, is almost as cold-blooded an atrocity as taking the life of a poet. Murder is the worst of crimes. I admit it, but, for the sake of earth and heaven, enlarge your definition so as to take in not only bodies but souls. In the sphere, perhaps a little *exalté*, which I love to frequent, such propositions as I have ventured to enunciate pass without criticism, but, in dealing with the worthy denizens of the Exchange and its precincts, I am forced to adopt a more terrestrial standard. Nevertheless, what is true anywhere is true everywhere, and what some call the extravagance of our Town Council I am prepared to defend on the purest principles of economy. The Royal Institution is in Mosley-street. It is a spot sacred to the interests of Art. There are certain rooms in the interior where Art and Economics meet on equal terms, and the divine power of Beauty imparts its spell to the lowliest worshipper in return for a shilling. Art condescends to signify its presence by a placard notifying the price to be paid, and, when I see that the price is



one shilling and no more, I compromise with Art and go in. Now I have seen there "Shadows" of various things, "Roll Calls" on the morrow of a great slaughter, and "Autumn Leaves" that seem to me to typify the awful tragedies of life. But within the sacred precincts of the Institution, where the caprice and fitfulness of the living artist lend the charm of irony to his works, I have seen nothing that impresses me more powerfully than a view of the Town Hall seen under the magic light of a quiet Sunday-evening. "Master," I have dared to say, perhaps presumptuously, "it is good to be here. Let us build here three tabernacles, and chiefest among them one for Thee." And the invitation has appeared to be accepted, and, for some moments, as my eye traversed the varying line of light, passing from recessed arch to mullioned window, and thence to roof and tapering tower, the earthly spectacle has seemed to be transfigured into the divine. No calculations of gain or loss were then permissible; but when in calmer mood I have looked at the reckoning, and found that on the extremest calculation this vision of beauty could be enjoyed for the fourth of a farthing per week, I have been lost in wonder at the cheapness of a pleasure which is too refined and too noble to be brought within an ordinary bill of charges. I venture to say that a sight of this building will do something towards making citizens of the highest type. The cost divided among half a million of people is nothing, and the gain is beyond price. On one occasion I confess to having played the eavesdropper while a Lancashire couple, of the purest dialect and blood, each of the

twain counting seventy years at the least, held a discourse one evening upon one of the statuary ornaments of the Hall. I have not the mastery of the dialect, like Edwin Waugh or Mr. Gaskell, or I would try to repeat the racy tones of rapture in which the old woman expressed her recognition of the hand-loom on the Princess-street side of the building. I only wish the architect could have heard them. They would have gratified him even more than the polished cheers that greeted him on Thursday night. No—an emphatic no—to the querulous gainsayers. The new Town Hall is the cheapest thing in Manchester. Architecture is the briefest compendium of history. It exhibits, even more accurately than the drama, the very form and pressure of the time. During the middle ages we find the two great tendencies of the period—the feudal and the ecclesiastical—represented in stone. The military adventurer seized with his own strong arm the lands he liked best, or accepted them at the hands of the conqueror, and then, on some likely spot, he proceeded to build the fortress with which to defend his acquisition, crowning his coign of vantage with keep and tower and battlemented wall. The priest, the other autocrat of that age, selected some fertile valley or commanding eminence, or some spot which tradition linked with the memory of some older saint, and reared with matchless patience and surprising skill those vast and weirdly-beautiful structures which we now gaze upon with admiration and awe. The invention of gunpowder put an end to castle-building, and the decay of the ecclesiastical sentiment among the people, which had

its first great catastrophe in the Reformation, put an end—some apparent exceptions to the contrary notwithstanding—to the building of cathedrals. We shall see no more new structures of either sort. The world has outgrown them. Religious feeling develops itself in another line, and for military purposes earth has taken the place of stone. Even Royal Palaces are now but rarely built on the old scale of magnificence. There is an end to them among the more advanced nations. We live now in a parliamentary and municipal age. The great buildings reared are nearly all of the civic type and for civic purposes. There is a new Palace of Westminster, but it is the seat of the Legislature, not the abode of the Queen. If we light upon a new structure which attracts us by its superior size and its architectural pretensions, it is pretty sure to be an Exchange, or a Town Hall, or a Palace of Justice, a Museum, a Free Library, or a Gallery of Art. There are more churches than ever, but they are adapted to parochial wants; they have shrunk from their ancient dimensions, and are no longer characteristic of the age. In process of time society may undergo some further modifications, and Town Halls may some day become obsolete, but it is difficult for us to imagine the conditions which would render such a change possible. Partial causes may attain the same end so far as we are concerned, and Mr. Bright does well to season our pride by reminding us of the fate of Venice. Nor is it of much use to reply that Venice was a mighty carrier and barterer, whereas our commerce rests upon the more solid basis of productive industry, for we


know that all-powerful Time has a variety of weapons equal to cope with the fates of all. The duration of our prosperity depends upon the duration of our coal and iron, for cotton will obsequiously follow these mighty agents to whatever part of the world they may migrate. Not longer, haply not so long, will our pre-eminence endure. Perhaps it is necessary to contemplate a distant period when our Town Hall will be a vast heap of ivy-mantled ruins. Be it so. Submission, on the largest as well as the smallest scale, is the lot of man. Still, it will ever be our glory to have been ; we may flatter ourselves with the belief that we shall have given the world of a thousand years hence something to remember, and that the meditative tourist from New Zealand, after pencilling his sketch of the ruins of St. Paul's from amid the broken arches of the Thames, will not regard his antiquarian wanderings as complete until he has visited the vast and desolate remains of what was once the New Town Hall of Manchester.



FOREBODINGS.

ONE would like very much to have a picture of the scene so vividly described by Mr. Bright in his recent speech at the Town Hall, when he and Mr. Henry Ashworth, wandering among the ruins of Tantallon Castle, under the guidance of Mr. Hope, of Fenton Barns, were led by the sight of its mouldering walls to think that a time might come when the factories of Lancashire, their own among them, would be so many piles of ruin. To me the incident related by Mr. Bright was very opportune. Only a few weeks ago I saw Tantallon Castle for the first time, and on the same occasion I had the pleasure of conversing with the son of the late eminent agriculturist to whom Mr. Bright referred. Using the privileges of anonymity, I may also say, without being chargeable with egotism, that it reminded me of a period in my boyhood when I sat on summer evenings under the lime trees of a country churchyard, reading Volney's "Ruins of Empires," and took my fill of imaginative desolation. Volney's sweep of view embraced the departed glories of the ancient world; the great names that are now so many ghostly myths to us; the dim magnificence of Babylon, Assyria, and Egypt; the days when Asia Minor was crowded with busy cities and flourishing populations,

ending with Rome, more fit a century or fifty years ago than now to be saluted as "Lone Mother of Dead Empires." The effect of the survey was rather spectral, being aided probably by the associations of the churchyard, with the grilled windows of the "bonehouse" full in view; but, so far as I can recall impressions some forty years old, Volney's melancholy musings struck me as rather overdone, and the subjective result was happily compatible with a lively faith in the destinies of England. I now quit these reminiscent shadows and go back to Tantallon, where at all events we are upon historical ground. It is interesting to think of two of Lancashire's "cotton lords" wandering among the weird ruins where the chief of the "feudal lords" of Scotland once dwelt, and deriving from the contemplation of the fate of an ancient order some misgivings as to the permanence of their own. Two dynasties were here brought face to face, the feudal and the industrial. One had vanished as though it had never been; is it among the secrets of time that, within any calculable period, the other will disappear along the same dark track? Of course, all thought on such a subject is purely relative. If this planet is some day to be a cinder, we know how all will end. There is also something in the uniform march of civilisation from east to west, leaving nothing but a track of desolation behind, which has an uncanny look. Are we in turn to be deserted by the genius of industry and freedom, as she urges her course westward, with her back towards the sun? Is Europe, by the wasting effect of war, and the intellectual sterility to be produced




by re-established despotism, destined to lose her present pre-eminence, and to become again the desert she once was? It is easy to frighten ourselves with questions, and, happily, we are not bound to answer them, but I venture to suggest that, in striving to think our way through any part of them, analogy is not a safe guide. Analogies derived from the experience of other ages suggest themselves naturally, and there is much in them that deserves to be pondered, but they are never directly applicable, because the conditions of society at the two periods put in comparison are not the same. The scientific discoveries of the last three hundred years would alone suffice to establish a formidable obstacle to an attempt to infer what must be the fate of modern political societies from what has been the fate of similar societies in former times. Moreover, in proportion as the globe becomes known to us, and is brought into civilised occupancy, and in proportion also as its various parts are brought into closer and quicker connection with one another by steam and telegraphy, the conditions of social existence tend to become more stable, and there is smaller room for surprises. There is no new route to the Cape to be discovered, no New World to be added to our map, no new ocean to eclipse the Atlantic, and change the balance of the globe, as the Atlantic eclipsed the Mediterranean, and turned it from the "Great Sea" of the ancients into a larger lake. The sum of human experience is always growing. In no two centuries are mankind, or their knowledge and capacities and opportunities, the same, and for this reason analogies that seem the most obvious and convincing are

but an imperfect guide. If natural analogies are untrustworthy, how much more so are artificial ones, such as that, for example, which compares the State to an individual, and from which it is argued that, because human life passes through the stages of childhood, manhood, and old age, and is sure at the end of four or five score years to flicker into the grave, a nation, however sagaciously governed, and whatever may be the intelligence and morality of its people, is shut up by fate to pass through the same gradations and to experience the same doom. This is a mere figment of sentimentality, and only deserves to be hung up as a popinjay to be shot at. There are no doubt certain profound moral causes perpetually at work which it becomes us to recognise with fear and trembling. The earlier part of a nation's history may be dismissed. The critical moment arrives when it is wealthy and powerful, when its resources permit it to aim at extended empire, and its private citizens are able to lap themselves in luxury. It is then that the Angel draws near in readiness to trace on the wall of our festive palaces the ominous handwriting which shall tell us that we are weighed in the balances and are found wanting. But is this doom inevitable? Are there no means of averting the direful sentence? It seems to me that the way to escape it is simply not to deserve it, and that no decree of fate, and nothing inexorable in the laws by which the world is governed, compels us to court our doom. Those laws are inexorable; they grind to powder, as the "mills of God," everything which opposes them, but they work out nothing but good to those who

yield them a ready obedience. If we are as true, as faithful, as simple, as patient, as honest, and as industrious in our prosperous as we were in our earlier days of trial and struggle; if, by dint of prudence, sobriety, and watchfulness we keep well under foot the demon of vain-glorious pride; if we are bent upon learning all we can, and apply our knowledge with as much docility as zeal to the problems of life; if we compel our egotism to render daily tribute to the social virtues; if we treat our fellow-citizens as if they were our brethren; and if a large wisdom leads each to co-operate with all for the general good of the commonwealth, then I see not why we should fail to escape the sentence which the inexorable laws of God's universe decree against nations that neglect their duties and lose their souls in the multitude of their worldly possessions. A perpetual renewal of virtue will be a perpetual renewal of youth, and a thoroughly moral and intelligent people may live on, as we say, for ever, that is for an "ever" bounded only by those great secular "times and seasons" which determine everything. Having stated this conclusion with perhaps imprudent breadth, it is necessary for me to say at once that I assume a very stringent fulfilment of the intellectual conditions upon which I conceive it to depend. Goodness, morality, brotherly love, and a gushing heart will not do everything. The sincerest disposition to make every Englishman a present of a hundred a year and a house to live in, will not of itself do much towards bestowing the boon. A public meeting may resolve by a unanimous vote that five hours per day are

enough for any man to work, and that he should receive just as much wages for the five hours as he used to have for ten, but the possibility of the thing is not to be settled by voting. The ability of a nation, or of a community of any size, to weather the storms that assail its prospects depends upon its ability to perceive and to apply these common but unpalatable truths. The feudal dynasties, fortified within their Tantallon Castles, fell, because, as the nation grew in strength, and as the central power of the State became predominant, there was no room for them. They had to disappear one by one, retaining a few titular privileges in the place of the immense prerogatives which they had so largely abused. The industrial dynasties which succeeded them have the advantage of resting, not upon artificial claims upheld by brute force, but upon the natural wants of man, seconded by the equally natural desire for their gratification. Food, shelter, and clothing come first, and the call is answered by the farmer, the mason, and the cotton-spinner. On this homely basis civilisation rears a fabric of other wants, and the more civilised we become the greater is the number of the wants which need to be supplied. Thus our Lancashire cotton factories have an honest, and ought to have a secure foundation, but whether it be secure or not depends upon the wisdom of the builders. It is at once our glory and our danger that we supply the markets of the world with the fruits of our industry; but what does that imply? It implies that there are many millions in these islands who would not be able to live here but for what they get in return for the manufactures they send abroad. If our manu-



factures ceased to find a sale, we should be a nation of paupers. If it were not for what foreigners buy of us, England would be over-peopled with ten millions, whereas we have three-and-twenty; and if our sales in foreign markets were all at once to cease, the surplus thirteen millions would have to starve, or "move on" to some other land with larger elbow room. But in all our staple trades we have rivals everywhere. The inhabitants of every country are eager to manufacture for themselves, and some countries aspire not only to supply their own wants, and so do without us, but to supply other nations, and enable them to do without us too. Owing to the inventions of eighty or a hundred years ago, and to the cruel wars which devastated the Continent at the beginning of this century, we got the start of other nations in the race of manufactures, but they have since made up for lost time, and are now treading upon our heels. The plain fact is, that, if we are to keep our place in the race, it can only be by supplying the wants of the world better and more cheaply than they can be supplied elsewhere. Our population is not standing still. It is growing year by year. So that, to keep up the same ratio of comfort, we must not only keep the trade we now have, but keep up its past ratio of increase. The only use I would make of these facts is to impress upon the minds of thoughtful working men this one lesson. The price which a manufacturer can get for his goods, or which a workman can get for his labour, is not an affair to be decided upon and fixed peremptorily by resolution passed at a public meeting, or by arbitration, or by any other method depending upon any

man's or any number of men's wills or wishes. It depends upon what people in other countries can do. If they can produce more cheaply than we can we shall have to shut up, and the finest sentiment spent in showing that it ought to be otherwise will be expended in vain. This is one of those problems to which I referred as testing the intelligence of a people, and as determining, by the solution it receives, the future which lies before them. This is one of those cases in which intelligent co-operation is required from all parties if a great trade is to be kept intact, and our industrial supremacy is to be preserved. Parliament, in its wisdom, may play the philanthropist—who is there that would not choose to do so if he could?—but the conditions of profitable employment are not to be determined by Acts of Parliament. Happily we are not likely to lose our trade without some cautionary shocks which may partly induce and partly compel us to be wise in time. On the other hand, if trade is once displaced it is not easily brought back to its old grooves. I respectfully beg for some adequate consideration of this shadier side of our position. It is of the utmost possible urgency. By substituting sympathy for knowledge, and wishes for facts, we are in danger of ignoring the conditions upon which our prosperity depends, in which case, to borrow from Mr. Ashworth, the day may not be very remote when the cotton factories of Lancashire will become so many piles of ruin, less venerable and picturesque, but infinitely vaster and more saddening than those of Tantallon Castle.

PROFESSOR TYNDALL.

It may be owing to a badly "prepared brain," but I find Dr. Tyndall's lecture on "Scientific Progress"* excessively irritating. This irritation, so far as I can ascertain by carefully analysing my thoughts, is not due to the mere fact that he first of all deprives me of a soul, next strips me of my free-will, and finally leaves me "fast bound in fate" like a trussed chicken. All these things I could bear with comparative equanimity on cause being duly shown. I am not eager to make excessive demands upon futurity. For posthumous experiences I am the prey of no fretful longings. Moored fast to present duty, as regards all else I am hopeful, but resigned. Hence I am urged by no vindictive feeling to quarrel with Professor Tyndall because he robs me of a set of valuable jewels; my chief annoyance with him is that he blunders over the theft. I have a further item of complaint. The theft is only constructive. He arrogates to himself the reputation of a successful thief without being one. As he leaves me in the dirt, he pours upon me a flood of compassion of which I have not the slightest need. I dislike his unctuousness. Science ought not to deal in

* Delivered at the Midland Institute, Birmingham, October 2nd, 1877, and published in the November number of the *Fortnightly Review*.

unctions. When he begins to speak I know he has some fell design upon me. I feel sure that he is covertly enticing me under his scientific gallows, and will presently touch the spring and let the drop fall. Well, let it be done in a business-like manner, without any hand-shaking or any unseasonable display of tenderness. The chief professional objection that could be urged from an ethical point of view against the late Mr. Calcraft was that he used to fondle his victims before turning them off, and for the same reason I have a grudge against Professor Tyndall. Moreover, the hobgoblins he conjures up when he proceeds to assail the central fortress of my nature are not, as he would lead me to imagine, new hobgoblins, only just discovered, and having now to be dealt with for the first time. They are very old, and instead of killing them he leaves them as alert as ever, without the smallest diminution of their old vitality. Professor Tyndall is determined that I shall not have a soul. To reconcile me to my loss, he tells me that it is quite a superfluous article, and that I shall get on just as well without one. Perhaps I shall, and perhaps it is true that I haven't one. But what I have to say is, that he quite fails to prove his point. We both go together right up to the spot where the soul, if there is one, is to be found. We take up one by one the various links in the chain of causation till we come to the farthest end, where the next link would, on the same supposition, be the soul. Now it happens that at this spot, at the very point where the last ascertainable link ends, and the spiritual discovery is to be made, we do encounter a fact, one of the greatest of all known facts—

and one that is utterly mysterious—the fact of consciousness. Moreover, the two separate chains of causes, those of the sensory and the motor nerves, both of which are necessary to volition, do seem to meet in this central fact, and to be therein linked together so as to become one. Here, I say, following the bent of my previous teaching, and perhaps acquired instinct, is, or may be, the soul. Don't believe it for a moment, exclaims the Professor. To be sure, I cannot explain that fact, and I never yet met anybody who could, but, depend upon it, it is not a soul. I cannot tell what it is, for at this point my scientific instruments entirely fail, but it is a mere assumption to say that it is a soul. Be it so, I reply, rather warmly; grant that it is an assumption, it is at least one which you cannot disprove. The assumption that there is nothing within that mysterious bourn of consciousness but the mechanical results of present or past sensations, is at least as unfounded and as unwarranted by science as the opposite assumption. You say the soul is a mere hypothesis; granted, but it is at least a hypothesis which is in harmony with the facts, if it is not the very thing which the facts seem to demand. A message is sent up through one set of nerves and an order is sent down the other. What or who receives the message and sends back the order? Consciousness says "self;" not a "self within self," as you argue, but the sole and single "self" itself. You say it is an assumption. I say it is not an unreasonable assumption, and that you cannot disprove it. Well, then, rejoins the Professor, let us ignore this fact which we cannot explain, and confine ourselves to

that which we can explain. We have these two series of molecular changes which meet in the brain. That is enough. We need not trouble ourselves about the fact of consciousness. Science demands an answer. The answer can only be given in terms of the known, and, as we know nothing of the connection between the consciousness and these molecular changes, let us leave consciousness out in the cold, and frame in the terms of those changes the answer what science demands, and which we are bound to give. My reply is that you are not bound to give an answer if you cannot give an honest one ; that this fact of consciousness is as much a fact as the molecular changes themselves, and that it is a mere fraud to give an answer, professing to be complete, which is based upon the deliberate exclusion from the given data, for no other reason than because we don't understand it, of a principal and crucial fact. No, my respected Professor, let us have the modesty of science as well as its daring, and, when we meet with a phenomenon which we cannot explain, let us confess our ignorance instead of building rash conclusions upon our inability. I am not contending that we have a soul. All I say is that many wise men in all ages have held that the existence of a soul is disclosed and proved by the fact which Professor Tyndall avows his inability to explain, and that nothing which he has brought forward rebuts or disposes of that alleged proof. I call this a breakdown in his argument ; a failure of his attempt to make me spiritually poorer than I was before. The attempt, moreover, notwithstanding the recent discoveries of science, has not been carried

a step further than it was by Descartes and Condillac, and the next race of philosophers are not likely to be more successful. Then there is the great question of free-will. Professor Tyndall makes this the burden of a great part of his address. It is odd to see a vast assemblage brought together just to hear it proved to demonstration that they cannot do what they please, that they are bound to do exactly what they do and nothing else, and that every thought in their brain, every sentiment that fires their hearts, and every volition by which they act upon the outward world, are merely so many links in an inevitable and unchangeable chain of causation. This is nothing, however, compared with the conclusion which might have been demonstrated with the same certainty, that the things we see and handle are not what they appear to be to our dull senses, but merely so many bundles of qualities of which we know nothing more than the effect they have in causing certain molecular changes in our sensory nerves, and conveying certain impressions to the brain. What we know is not the things themselves, but merely our impressions of them, and, as these impressions are subjective, we cannot by any amount of effort proceed one step outside of ourselves. We know our "states of consciousness," and nothing more. Of the world itself we know nothing, and the probability, nay, almost the certainty, is, that every human being has a universe to himself, the whole of which is enclosed and shut in within the walls of his brain. This, as is well known, is one of the feats of metaphysics. Go from Locke to Berkeley, and from Berkeley to Hume,

and we shall find the conclusion made out triumphantly. Dr. Huxley has lately led us back to the theories of Hume for the purpose of showing that Comte ran away with the clothes of the great Scotch thinker, and hardly wears a shred which was not made in Edinburgh. Now, when the great globe itself can thus be resolved, so far as our knowledge is concerned, into a few states of the individual consciousness, we are hardly prepared to be startled by what Professor Tyndall tells us about free-will. The necessarian theory which he presents to us as one of the conclusions inevitably flowing from the latest physical researches, is as old as the hills, and so far from being at all opposed to religion, has been incorporated with very orthodox systems of theology. Mankind have a stiff digestion. They can swallow cherry stones, and occasionally a hobnail. On the metaphysical side the necessary character of human actions was demonstrated with all the force of inexorable logic by Jonathan Edwards, the Puritan divine of New England, whose treatise on the "Will" might be advantageously perused by Professor Tyndall, if only as showing how completely his worst conclusions have been anticipated by a devout believer. We need not go further than a book which is constantly in the hands of millions of Englishmen and Englishwomen, to show that the necessary character of human actions may be practically a very harmless dogma. Professor Tyndall mentions Bishop Butler as not believing in the doctrines of Necessity, though he was not afraid of them. If Professor Tyndall had referred to the formularies to which the Bishop at his ordination had subscribed

an *ex animo* assent, he would have found there the theory of Necessity on its religious side set forth as a matter of faith. At the end of the Prayer Book there is a list of the Articles of Religion. The tenth article is "Of Free-will," the seventeenth is "Of Predestination and Election," and the two, taken together, establish the necessarian theory as the belief of the Church of England. It is there set forth that God has from the beginning "before the foundations of the world were laid," "constantly decreed, by his counsel secret to us," certain things which are of the highest concernment to each of us, involving, indeed, the whole tenor of existence in this life and in the life to come; which things no will of ours can alter, though, in so far as they depend upon us, we shall be made to will them at the precise hour and moment which have for ever been foreordained. Here is Necessity in its sternest and grimmest shape; here is the series of adamantine links, welded on the forge of heaven, which runs through all our thoughts and actions, and tethers us fast in eternal fate. I know, of course, how we manage to wriggle out of these constraining fetters, but the same arts can be applied to Professor Tyndall's conclusions as well as to the Prayer Book, and with the same success. The secret of doing so lies in that mysterious fact upon which I have so long dwelt, and which Professor Tyndall acknowledges to be inexplicable to him. Within the boundaries of our consciousness we are free. It is an illimitable domain to each of us, and throughout its whole extent, so far as we can discover, there is none of the mechanism of fate. There are whips and scourges and pillories;

there is a tribunal and there is a judge ; there are motives in abundance, persuasives, entreaties, threatenings, and commands. All these things we find within our consciousness, but of Necessity not a trace. We feel that we are free, and we act as if we were. Speculatively considered it may be all a delusion, but practically it is all real and true. Just as, like Dr. Johnson, we think a stone a stone, and declare it to be a stone and not a mere bundle of sensations, so we say of ourselves that we can do certain things or refrain from doing them ; that we are coerced in nothing, but are free in everything. It may be said these conclusions are only true relatively. Well, everything we know is relative ; of the absolute we know nothing, and it is perhaps sufficient, and at all events it must be so considered, that what concerns us is placed on the same basis as all the other phenomena and interests of the universe. Professor Tyndall himself admits all this. He takes great pains to show that, whatever theory of human life may be adopted, we shall continue to act as if our actions were free ; we shall go on blaming those who do ill and praising those who do well, dealing in persuasions and admonitions, in warnings and threatenings, sending one set of criminals to gaol and another to the gallows, on the assumption that each and all of them could have done differently if they had liked. This has always been the case, in spite of the necessitarian theories which have been held by philosophers and theologians. One of the faults I venture to find with Professor Tyndall is that he parades the commonplaces of philosophical speculation as if they were the discoveries of yesterday,

and introduces to us, with all the pomp and circumstance of modest deprecation, as if he had encountered them for the first time at the close of his latest experiments, problems and difficulties which are as old as the hills. I can hardly help smiling as I hear Professor Tyndall presenting the doctrine of Necessity to the people of Birmingham as the last and dreaded result of modern science, and remember how eloquently it was preached to their grandfathers by their townsman, Dr. Priestley, eighty or ninety years ago. I venture to remind the learned Professor that the principle of the division of labour has been carried out to greater lengths in this than in any former age, and that he would do well to avail himself of its advantages. No man can be great or trustworthy in every department of inquiry. To verify and develop the great "germ theory" would occupy a life-time. But, above all, it is well to remember that science deals with facts. For these no apologies need be offered, and those who discover them have nothing to do with their consequences. To trace these consequences, to develop their ethical and æsthetic bearings, and to make them fruitful in edifying lessons, constitute the domain of another class of labourers who are perhaps better qualified for the task, and whom, at all events, it is a mere folly of encyclopedic ambition on the part of men like Professor Tyndall to deprive of their old hunting grounds.



A FEW WORDS MORE ON PROFESSOR TYNDALL.

MAY I assume that my readers are willing to return with me for a few minutes to Dr. Tyndall's lecture? My object in doing so is not to argue over again the points already glanced at, nor even to argue at all, but just to linger upon and verify that central fact of the controversy which Dr. Tyndall gave up as insoluble. In his argument, consciousness was permitted to play but a very small part indeed. He seemed to treat it as a rich *parvenu* is apt to treat a poor relation whom he meets in the street, with a distant and not altogether unembarrassed "nod," as if at once compelled and yet ashamed to acknowledge him; or like some astute capitalist who has purloined an invention, and gives out that the wonderful mechanism which is making his fortune is the result of his own ingenuity, whereas it is all due to some humble genius who is carefully hid away in the garret. This humble genius I want to bring down stairs into the light of day, and get something like justice done to him. Dr. Tyndall takes us on a long and interesting excursion among the varied phenomena of nature, and brings us back with a bundle of inferences to be used in explaining the mechanism of our own being. He tells us how the blood, nourished by digested food, consumes the oxygen which is diffused in it,

and, like any other fuel, produces heat ; how this heat is stored in the muscles ; how it is liberated whenever an order to that effect is sent down the motor nerves ; how it is thus transmuted into motion, and passes off into outward space. On the strength of this heat producing and consuming apparatus, Dr. Tyndall explains, or regards as explainable, the whole of the phenomena which make up our complex nature, both those which we all recognise as pertaining to our bodies and those which some say belong to the soul. According to this view, the *tout ensemble* of the human being, not only body and bones, but intellect, will, and everything, resembles those little ambulatory furnaces which are used in the streets for cooking potatoes and boiling coffee. Each of us is neither more nor less than some such ambulatory furnace, our thoughts and emotions and volitions being so many hot potatoes. Here, then, we are, turned out complete, and every whit of us accounted for. We are mere machines, kept going by a little furnace inside, which we labour all our lives long to provide with fresh fuel. We are this and nothing more, as anybody can see for himself, every link in the process being open to observation. To be sure, there is one little fact which baffles explanation. It lies at the point of junction between the sensory and the motor nerves, and stands in an important but hitherto-uncomprehended relation to both. The molecular changes in the nerves do emerge in consciousness. How they do so, why they do so, and what effect, if any, this emergence of the molecular changes into consciousness has or may have upon subsequent changes of the same sort, are questions


which nobody has yet answered, and probably never will. But our inability to solve these problems is of little consequence. The whole machinery of our nature is clearly and exhaustively explained without taking consciousness into account at all. Now, to the facts above stated, apart from some inferences which appear to be without adequate warrant, I have nothing to say. On Dr. Tyndall's word I accept them as constituting the account which science has to give of the human mechanism, regarded from a purely physical point of view. But is this the only point of view from which it is capable of being regarded. To say yes is to beg a question which has been in dispute ever since man was capable of thinking. Let us pick up the fact which Dr. Tyndall throws aside as an unconsidered trifle, and try to see what it contains. There can be no doubt that consciousness is the largest fact discoverable in connection with the human constitution. In one sense it may be said to embrace the whole of us, and the whole of the universe outside of us, so far as we have any knowledge of it at all. The infinite variety of phenomena we see around us, from the house on the opposite side of the street to the Rings of Saturn and the light from the remotest star, are known to us only through the medium of consciousness. Nay, to speak with precision, the knowledge we have of them is itself merely a state of consciousness. We are fully assured that what we are conscious of is a counterpart of some corresponding object outside of us; that the Rings of Saturn are not at all the mental picture of which we become aware when we have looked through the telescope, but real bodies

revolving in space many millions of miles away ; but the inference, or the intuition, or whatever it may be, which leads us to connect a particular state of our consciousness with the Rings of Saturn is itself a state of consciousness. In actively dealing with the external world, we can never get rid of this universal recipient, interpreter, and verifier. It is for us the sole bond of union and the sole channel of intercourse with the outer world, as well as the testifier to all that we know of our own selves. Not a thought kindles within us, not an emotion glows, not a passion takes fire, not an act is deliberately resolved upon, but it is known to us as a state of consciousness, and in no other way. Each of the ingenious demonstrations which Dr. Tyndall takes up in order to prove in the last resort that we have neither soul nor free-will, is a state of Dr. Tyndall's consciousness. So with his final conclusion that the fact of consciousness is inexplicable ; it is a temporary state of his consciousness in which it seems to pass a judgment upon itself. Unso-phisticated people take consciousness to be their real self ; or rather they imagine there is a self behind it to which it serves at once as a veil and index. I am not going into these transcendental questions, and hence I shall not ask whether the consciousness can proclaim to us any truths of its own, any that are not derived from experience and observation ; whether, for example, when it tells us that we are free agents and not mere machines, it speaks the truth, or ought to hold its tongue in deference to what I may venture to call secondary states of consciousness superinduced from without. All I wish to insist upon is, that con-

sciousness is too real and wonderful a thing to be pitched aside as an inconvenient excrescence of our nature, left there apparently only to bother the ratiocination of physical inquirers. Dr. Tyndall repeats the story of a merchant who was aroused from his afternoon's nap by a telegram announcing a failure in which he was deeply concerned, of the excitement the message produced, and the energetic transactions which were crowded into the next few hours, the whole of which "complex mass of action, emotional, intellectual, and mechanical, was evoked by the impact upon the retina of a few infinitesimal waves of light coming from a few pencil marks on a bit of paper." This is the process in which he begs us not to think it necessary to assume the existence of a percipient soul, but to be well assured that from first to last it was nothing but a series of molecular changes. Molecular or not, every part of this complex process took place within the consciousness. The message itself consisted only of a few pencil lines, and these are all that was transmitted along the sensory nerves. All the rest, the comprehension of their import, the survey of the facts, the calm judgment, the swift decision between possible alternatives, and the energetic action which followed, had their initiative within the consciousness. It is impossible even to think of them without assuming, if only hypothetically, a conscious self which comprehended the situation and set the molecular batteries at work. It appears to me that Dr. Tyndall, the lecturer, supplied a more wonderful illustration of the complex proceedings which can go on in this little brain of ours than the imaginary merchant. It

is bewildering to attempt to reckon up the various states of consciousness that must have preceded in a causal way his appearance on the platform of the Midland Institute. State the first was probably superinduced by the particular series of molecular changes which apprised him one morning that he had been selected to inaugurate the Autumnal Session. State the second would probably be one of doubt and much inward strife. Should he permit himself to be allured away from his beloved seclusion in order to descant for one hour, from the lowest step of the scientific ladder, to some thousands of people whose readiness to applaud would probably be in an inverse ratio to their power of comprehending him? Should he not rather imitate the self-denying virtue of those saintly ascetics of science, the Joules, and Faradays, and Darwins, who preferred to minister without interruption before the high altar of the Universe, and had renounced not only lecturing but "dining out?" Then something that touches the essentials of Dr. Tyndall's being must have resolved the doubt, having for its resultant a state of consciousness representing his determination to accept the flattering invitation. This state was succeeded by a series of a thousand others, some of which we may suppose to have been states of unwillingness and repentance. Why should he go to waste his precious energies in talk? There were those interesting experiments pending, destined to settle the question whether life can spring from dead matter or must always issue from antecedent life. Should these be suspended in deference to what could hardly fail to be a popular "ovation?" Thus

the man of the world and the man of science fought it out in Dr. Tyndall's consciousness, the decisive consideration probably being that he had given his word to be at the Midland Institute on the day fixed. This sense of obligation, the binding force of a promise, is a new element, which the mechanical action of molecules does not readily explain, though it carried the day over dozens of pressing notices sent on through the sensory nerves. Then came the work of preparation, a remembered state of consciousness, existing six months ago, leading to thousands of others, thick as the leaves in Vallambrosa. All this work goes on without any provocation from without, in default of any message through the sensory nerves, and apparently independent of anything outside the domain of consciousness itself. Standing at last upon the platform, and hailed by those sympathetic cheers, he recognises that the moment has come for the fulfilment of his task, and a vein of eloquence is opened which ministers for a full hour to the delight of his auditors, and of himself. The sensations which stream in upon him seem to have no direct relation to the task in hand. So many thousands of small ovals dotted with eyes and mouths; so many waves of sound rebounding on the tympanum; but a present state of consciousness intelligently interprets them to refer to one of its former states, and the orator is equal to the occasion. O wonderful consciousness, I cannot help exclaiming, which is so keen and prompt to catch molecular hints, and gives such vast amplitude of meaning to every infinitesimal mite of matter which emerges in its own abounding bosom!



And then, by a natural association, I find my states of consciousness succeeded one another in rapid succession, from Tyndall to Huxley, from Huxley to Descartes and Leibnitz, and Lessing and Goethe, and from them to Shakspeare and Milton, Dante, Molière, and Racine, all ages being mixed together, the sole guiding clue being the grandeur of intellectual performance, till I find myself in the presence of prodigies compared with which the lecture in the Midland Institute is mere child's play. Fresh from the lesson of physical science, I take up "Hamlet" and "Faust," and strive to imagine what their equivalents would be in molecular changes set agoing by heat released from the muscles in obedience to orders transmitted through the motor nerves, responding to messages sent up through the senses. I cannot solve the problem. The mere attempt fills me with stupefaction. I am asked to close my eyes, and assent to what seems to be a greater miracle than all the Bible miracles put together. Let me swallow this, I say to myself, and though my credulity may be unexceptionally scientific, it will leave me a prey to the priests. Healthy scepticism itself seems to warn me against such incomprehensible extremes. And why should I accept them? Merely to save the necessity of having recourse to a hypothesis which seems to be infinitely more simple and more rational; the hypothesis that, when a message is received, there is someone to receive it; that, when an order is sent, there is someone to send it; that, when a determinate decision is made between alternative lines of thought or action, there is someone to make the choice. If Professor

Tyndall could explain, or even profess to explain, all the processes of my nature quite through, I should have either to confute him or to submit. But, as the case stands, I am bound to do neither. There is one central shrine which he says he cannot enter; there is one closed casket which he says he cannot unlock; there is one fact which he avows his inability to explain, and that one fact is nothing less than the whole of my conscious being, the central reservoir of all my knowledge, of all my volitions, of all my hopes and fears; the one domain wherein, if there is anything in me more than mere mechanics, anything which is self-determining, self-knowing, and in a sense divine, I should expect to find it. All I have to do is to affirm nothing, but merely to repel his invasive dogmatism, merely to challenge his right to say "there is not" within the area of a fact of the contents of which he is forced in the same breath to avow his utter ignorance. This at all events I will do, and continue to nurse within me a few hopes which his dogmatism would extinguish. I for one refuse to doff my hat, and go on my knees, and strip myself of all that is deemed spiritual in my being, in deference to an arbitrary negation which they who propound it profess their inability to maintain. As a protest against the insolence of such pretensions I am almost led to exclaim with Wordsworth:—

. Ambitious spirits,—
Whom earth at this late season has produced
To regulate the moving spheres, and weigh
The planets in the hollow of their hand;
And they who rather dive than soar, whose pains

Have solved the elements, or analysed
The thinking principle—shall they, in fact,
Prove a degraded Race?
Inquire of ancient wisdom, go, demand
Of mighty Nature, if 'twas ever meant
That we should pry far off and be unraised,
That we should pore, and dwindle as we pore,
Viewing all objects unremittingly,
In disconnection, dead and spiritless,
And still dividing, and dividing still,
Break down all grandeur, still unsatisfied
With the perverse attempt, while littleness
May yet become more little, waging thus
An impious warfare with the very life
Of our own souls.



INDUSTRY AND CULTURE.

THE modesty which accompanies learning, and the largeness of mind which is supposed to be one of the results of liberal studies, are not among the prominent characteristics of the letters which Dr. Appleton has sent to the *Times* in deprecation of the aims of Owens College. If the terms of the controversy were represented by algebraical symbols, and only the reasoning retained, I should be led to conclude that the letters were the production of some polished huckster who wished to keep to himself a profitable market for the sale of his smallwares ; or, if I must flatter the writer by selecting a more elevated comparison, that they were so many ink-drops of sorrow from the Chairman of an established Railway Company over the proposal of another Company to invade his territories. This gentleman is of opinion that Manchester can never become the proper seat of a University because it is a place of trade. The character of a "young manufacturer," he argues, would stand no chance of being brought to maturity in a place which not only is itself devoted to trade, but is "shut in on all sides by an immense industrial district." He has a fling in passing at the "peculiar ethical standards of trade," and asks, or rather says he need not ask, whether "the mental and moral

horizon of a young man who has to look forward to a life in the counting house and the Exchange is likely to be at all enlarged if he mixes at the most susceptible period of his existence solely with other young men of the same class as himself, whose mental and moral horizon is also bounded by the counting house and the Exchange." He does not expect to convince us. He says we are fond of our own ideas and in love with the limitations of our mental horizon. As for the old Universities, they are "schools of manners and of conduct," and they introduce a young man to "all that is good and beautiful and true," whereas "industrialism," he says, "we know has already destroyed the beautiful, and is well on its way, as some think, to reform the good and to amend the true." The first thought that occurs to me after reading over this formidable indictment is that Dr. Appleton makes very free with our "mental horizons." He seems to know all about them, from the centre to the circumference. He undertakes to decide at a glance what is the class of topics upon which we usually employ our minds, what is the bent of our tastes and the range of our sympathies. He settles it offhand that, being addicted to trade, we can think of nothing else, and have no ideas that roam further. It does not seem to occur to him that as a lawyer is not always busy with his clients, nor a clergyman always preaching sermons, so a man in business need not always be thinking of his goods and his ledgers. One begins to suspect that Dr. Appleton's "mental horizon" has its "limitations," and that they fall short of the intellectual *habitat* of the trader. He seems unable even to

imagine a Lancashire young man as anything else than a "young manufacturer," though as, on the very assumption upon which the argument proceeds, he intends to devote himself to liberal studies till he reaches manhood, he probably knows no more of manufactures than Dr. Appleton himself. It seems proper to apprise our critic of the fact that there is no generic difference between a young man born in Lancashire and a young man born elsewhere. They have the same mental capacities, the same average inclination to generous tastes, and the same indisposition to tie themselves down to anything which is hard, or grovelling, or stupid. In this respect they all alike enjoy the glorious privilege of youth. Hereafter some of them will take to trade as others to law or physic; but though the pursuit by which a man may earn his living determines perhaps the centre of his "mental horizon," it need not, and I believe it does not, in one case any more than in another, determine its breadth. In supposing that Oxford is the only place where a young man can attain to maturity of character, the "mental horizon" of Dr. Appleton betrays the same limitations. The society to be met with at Oxford is certainly different from the society likely to be met with at a place like Owens College. They both have their characteristic excellences and defects, considered as a means of social training, and perhaps the chief fault of each is that it does not include the other. There is a preponderating sameness in both places alike, but the samenesses are not of the same sort. The previous social habits of the young men who go to Oxford dispose them to regard trade as a vulgar pursuit,

and to "look down" upon persons engaged in it as if they occupied an intrinsically lower grade than their own. No such feeling could be bred here, and to that extent, but quite accidentally, our social appreciations would be governed by broader and more intellectual principles than those which find a congenial soil at Oxford—that is, our "mental horizon" would be wide enough to include Dr. Appleton, though his mental horizon is not wide enough to include us. The intellectual value of the social conditions existing at any place depends less upon their quality than their variety. It is not so desirable to have them set by young squires and parsons on the one hand, or by young manufacturers on the other, as it is to have a mixture of both sorts, and, within honest limits, as many more as possible added to them. Oxford is a charming city, but it is almost wholly scholastic; and viewed under other aspects it strikes a stranger as being rather "dead-alive." For purposes of culture, if culture, as something wholly different from educational drill, had a home there, it has peculiar recommendations, but Manchester would do quite as well as an arena for young gladiators. The spirit of repose still lingers among its stately towers, and breathes through its weather-stained cloisters, reared by men who blended their studies with contemplation, and to whom knowledge was its own exceeding great reward. But in the academic circles of Oxford there is no repose at all. Everything is at high pressure—"Sturm und Drang." We find there no leisurely pursuit of knowledge for its own sake, no disposition to fix a loving and prolonged gaze upon its

charms till they have time to penetrate the soul, and to fill it with their ennobling and fructifying force. Not the subject but the book, not the thoughts but the words in which they are expressed, not the scope of an argument nor the splendour of an idea, but questions of etymology and syntax, in short not the kernel but the shell of knowledge is the material of study, and the motives which influence the student, if not sordid, are not high. The tutor's private class is his racing stud, the pupils upon whom he bestows most labour are the favourites for the year, and his one object is to impart just so much instruction in just such a way as will give them the best chance of passing the winning post amid the cheers of the spectators. Knowledge has no value at Oxford except as a means of passing examinations and winning prizes; and for work of this sort our Oxford Road would do almost as well as High Street. But then there is our "Industrialism." Well, that we cannot help. We can only hope to say something in extenuation of the crime. To confess the truth, we are not more industrious than other people. Probably we work fewer hours than any other set of people in the kingdom, and we are neither absorbed in, nor exhausted by, our labour. Still our character is industrial; that is our damning sin. Driven into a corner I am forced to look into the meaning of this terrible epithet. Explained on a small scale, it means that most people in these districts work for their living in one way or another, or, to put it more genteelly, are engaged in remunerative occupations. Explained on a larger scale, it means that we are the centre of an

enormous trade, typical of all the trade that is done throughout the country, the economical result of which is to make England populous, wealthy, and powerful, to connect us by ties of interest and sympathy with every part of the world, and to augment in a considerable degree the average comfort of mankind. I shall perhaps be told that it is not these facts at all, but the mental and social habits engendered by trade, that render the place we live in so unsuitable for a seat of learning. I am almost tempted to accept a challenge on this point, and to maintain, what to some of my readers will sound like a paradox, that the intellectual tone of Manchester is as liberal and as generous as that of Oxford; that the work done here is not more distinct and separable from culture than the work done there; and that the trading spirit which is supposed to devour us body and soul recognises a close kinship in the motives which preside over and dominate the pursuits of Oxford men. Industrialism is not culture, and may be its antagonist. That I admit, and the same may be said of any other "ism" which is specialised and made the sole subject of a man's energies. Culture only begins when education, both general and special, is complete, and the disciplined mind is able to make leisurely use of the resources within its reach. The training a boy gets at school is not culture. He is put through his grammar and his exercises. He is taught to read Greek, just as once he was taught to read English, though more methodically. He spells his way laboriously through some of the Greek historians and dramatists. These works contain the materials

of culture, but the learner has enough to do with the interpretation of words and sentences, and to this he is rigidly confined. He is working for a prize, perhaps for an Oxford Scholarship; if he pauses to dream over the æsthetics of his author, the time he loses will enable another boy to get before him, and it is therefore requisite to keep close to the work in which he will be examined. He wins his scholarship and goes to Oxford. But Oxford is only a higher school. He merely carries on a little further the process already begun. He has a new set of examinations to undergo, and new prizes to win, if he can, with a Fellowship of two or three hundred a year as the possible reward of his exertions. He stands no chance unless he puts himself into the hands of a private tutor who knows by experience what things to teach and what to leave untaught. Now, knowledge is the instrument of culture, but everything depends upon the motives which impel to its acquisition, and upon the manner in which it is acquired; and, judged by both these tests, I make bold to assert that a "young manufacturer" who masters the Theory of Exchanges, studies the Principles of Banking, familiarises himself with the leading writers on Political Economy, acquires an acquaintance with the facts which determine the production, distribution, and market values of commodities in the principal marts of the world, may put in as good a pretence to culture, and as good a right to be acquitted of mere mercenary aims, as his old playfellow who carried his college prizes by might and main, and came out, say, a senior optime. For all this, and much more—for I have put the

case very mildly—I could call two unexceptionable witnesses, the Rev. Mark Pattison, Rector of Lincoln College, Oxford, and Dr. Wiese, late Councillor to the Minister for Public Instruction in Prussia. How many, says the former, out of our 1,700 students “are here because they are paid to come here?” Chaucer’s poor student, with his pale face and hollow sides, and threadbare cloak,

For he hadde gotten him yit no benefice,
Ne was so worldly for to have office,

has no counterpart now at the University. Many go up “as a commercial speculation.” “High wages are given for learning Latin and Greek, and they are sent to enlist the pay.” The result is that learning at Oxford has sunk to the level which is requisite to float pupil and teacher over the examination bar. “Education amongst us,” says Mr. Pattison, “has sunk into a trade, and, like trading sophists, we have not cared to keep on hand a larger stock than we could dispose of in the season. Our Faculties have dried up, have become dissociated from professional practice at the one end, and from scientific investigation at the other, and degrees in them have lost all value but a social one.” As for the higher degrees, they are, on the same authority, not given, but bought and sold, like so many wares that can be had at a price. If, at the end of his three years’ drill, a young man wants to pursue his studies further, to cultivate knowledge for its own sake, there are no opportunities for him at Oxford. “He must go for instruction,” says Mr. Pattison, “to Berlin or Bonn, or even Catholic and *arriéré*

Vienna." For the latest illustration of the trading spirit I need only refer to the loud outcries which have been raised because two Fellowships at All Souls' have been withdrawn from competition, the intending competitors complaining bitterly that their three months' study has been thrown away. On the whole, I think that we have no reason to blush in the presence of Oxford because we buy and sell and get gain. At all events we are not impostors. We claim no transcendental value for our commodities. Nor have we the conscience to claim pensions of three hundred a year simply for having disciplined our own minds and thus gotten great good to ourselves. At Owens we shall at least carry the sacred brand of poverty, and have few temptations.



ORDINATION AND ABSOLUTION.

THE *Morning Post* announced a few days ago that it had heard "with astonishment, not to say with alarm," that a "few influential authorities, both in Church and State, are bent upon a revision of the Baptismal and Ordination Services, as well as the Office for the Visitation of the Sick, with a view to the elimination of those parts which appear to sanction the doctrine of Apostolic succession and auricular confession." This is an appetising piece of news, and whets one's curiosity to know more. Who are the persons referred to? They are "authorities" and "influential authorities;" that is, one would say, on the side of the Church, Bishops and Archbishops, and on the side of the State, some members of the Cabinet, the Prime Minister perhaps included, or at least some members of the House of Lords. Whoever may be the persons intended, I am not disposed to conclude that Lord Beaconsfield is among them. He has had enough of Church warfare for the present, and will think twice before risking a further misunderstanding with his clerical friends. Nevertheless, some further legislation may be forced upon him. The laity are growing restive, and that small but zealous portion of the clergy who are "bent" upon depriving the Church of England of its

character as a Reformed and Protestant Church show no signs of desisting from their labours. Mr. Knox-Little, whose honesty I applaud even more than I do his eloquence or his zeal, has loudly proclaimed his determination to go on preaching the duty of private confession, and of acting himself the part of a father confessor. He defends the "Priest in Absolution," exults in his connection with the Society of the Holy Cross, and discharges upon Lord Harrowby a volley of what, if it sputtered from worldly lips, might fairly be described as abuse. His candour is admirable, but he and those who agree with him would probably commit a great mistake if they imagined that they will be long permitted to defy the authorities of the Church, and overbear the dearest convictions of the great bulk of the people of England. Viewed merely as religious teachers, they have a right to hold and to disseminate whatever doctrines they please. The confessional stands within the realm of morals, and close to the border land where rival jurisdictions meet; but, for my part, if any man or woman chose either to confess or to hear confession, I would to the utmost of my ability defend their right to do so. But men like Mr. Knox-Little do not stand in this unfettered position. Of their own accord they have entered into certain engagements with the State, and we cannot possibly disregard the obligation of seeing that they faithfully fulfil those engagements. The Church of England is our common possession. It is an instrument of immense power, capable of exercising a tremendous influence upon the educational, social, and political interests of the nation, and

we have not merely the right but the imperative duty of seeing that it is used for the purposes prescribed by the national authorities, and not for other purposes, not merely different from, but positively antagonistic to them. But what am I to do ? exclaims the recalcitrant priest. You tell me that confession is unlawful. You say that I am a disloyal son of the Church, and a contemner of the authority of the State if I teach my flock the duty of coming to me to confess their sins, and if, upon being satisfied of their penitence, I pronounce over them the words of absolution. But all this is part of my commission. When at the time of my ordination I knelt before the Bishop and he laid his hands on my head, I heard him address me in these solemn words : "Receive the Holy Ghost for the office and work of a priest in the Church of God now committed unto thee by the imposition of our hands. Whose sins thou dost forgive they are forgiven, and whose sins thou dost retain they are retained. And be thou a faithful dispenser of the Word of God and of His holy sacraments. In the name of the Father, and of the Son, and of the Holy Ghost. Amen." If language has any meaning, is it not here clearly implied that to grant or to withhold absolution is to be one of the ordinary functions of my priestly calling ? And if this is to be one of my ordinary functions, is it not implied with equal clearness that confession is one of the ordinary duties of my flock ? How can a man preach except he be sent ? How can a priest know whether it is his duty to forgive or to retain sins unless the sins themselves are fully disclosed, and all the secrets of the penitent's heart laid bare ? In the interest

of the penitent himself, as well as in fidelity to my awful trust, is it not my duty to cross-examine and probe him to any extent that I may think necessary before proceeding to pronounce the sentence which, until it is revoked, will be to him a sentence of eternal life or eternal death? Now to my mind this reasoning of the priest is quite conclusive. Auricular confession, as something binding upon both priest and penitent, admits at least of being plausibly inferred from the words which accompany the imposition of hands in the Ordination Service. A historically-minded priest might be expected to remember that they could not possibly be intended to convey this meaning, for the simple reason that the Reformers of the Church, though they retained this part of the old formula, regarded auricular confession with the utmost aversion, as an immeasurable abuse to be got rid of for ever. Still, there the words are. The interpretation put upon them by the Romanising party in the Church is one which they will readily bear, and the question is, what shall be done? The Judicial Committee of the Privy Council would no doubt make short work with the plea that they authorised auricular confession, but that would only furnish the innovating party with another pretext for saying that the decisions of the Privy Council are political decisions, given in defiance of equity and fact. It is under these circumstances that the suggestion has been made which fills the *Morning Post* with dismay. If, it is said, the nation is determined not to tolerate a revival of auricular confession, would it not be better once for all to take the sharp knife of a legislative enactment and cut away those obsolete

and injurious words from the Ordination Service? This of course can be done, not merely because Parliament can do anything, but because in doing this it would be merely revising its own work. In revising the Roman Ordinal the Reformers struck out the clause which conferred upon the candidate for the priesthood the power of offering sacrifice for the living and the dead, but they retained the clause about forgiving or retaining sins, because the words were quoted from Scripture, and were supposed to have always formed part of the Ordination Service. The ordinal thus revised was enacted by the 5 and 6 Edward VI., c. I. "The King," so runs the Act, "with the assent of the Lords and Commons in Parliament, has annexed the Book of Common Prayer to this present statute, adding also a form and manner of making and consecrating of archbishops, bishops, priests, and deacons, to be of like force and authority as the Book of Common Prayer." The eighth of the canons adopted by Convocation in 1603, under the licence of King James I., takes the Ordination Service thus settled by Parliament under its special patronage, and declares that whosoever shall say that it contains anything repugnant to the Word of God shall be *ipso facto* excommunicated, not to be restored till he "repent and publicly revoke such his wicked error." Lord Harrowby must take care or he will fall under this ban, if he has not incurred it already, though those who advocate a revision of the ordinal may do so on very safe ground. The objectionable clause is a passage of Scripture. Now of course no one will say that a passage of Scripture is repugnant to Scripture. All that need be alleged is that it

has been thrust into the wrong place, and is liable to be misunderstood. In this way Parliament may decree the erasure without incurring the excommunication pronounced beforehand by the 8th canon. I am afraid that the erasure of these words by Act of Parliament will be a great shock to ecclesiastical consciences. The formula as it now stands seems to carry us back to Apostolic times, and it is perhaps commonly supposed that something like it has been used at every ordination of a priest since the days of St. Peter and St. Paul. I earnestly recommend those who wish to know exactly how the matter stands to read the article on Ordination and Confession in the new number of the *Quarterly Review*.* The rumour that some practical steps are in contemplation with a view to the revision of the Ordination Service is probably due to the publication of that article. The writer takes for his text the great work of Morinus published in 1655, on the Ordinals of the Church, and establishes a few important conclusions on what would seem to be incontrovertible authority. Morinus, it should be said, was a priest of the Gallican Church, much renowned for his learning. In the year 1639 he was summoned to Rome by Cardinal Barberini, uncle to the reigning Pope, Urban VIII., for the purpose of assisting a Congregation of Theologians in comparing the doctrines of the Greek Church with "the norm and balance of the Catholic Faith." His researches led him deeply into the history of the ancient ordination services both of the Greek and the Roman Churches, and the conclusions to

* October, 1877.

which he was led are very pertinent to the controversies of the present day. We learn from him that the passage quoted, or rather adapted, from John xx., has never been used at all in the ordination form of the Greek or Eastern Church. This fact will have great weight when it is considered that if there is any difference in point of antiquity between the Eastern and the Western Churches, the Eastern is certainly the older of the two. It is, moreover, the Church with which the high section of our own priesthood are most anxious to live on terms of reciprocal communion, and whose virtues they are never tired of extolling. The ordination service in the Eastern Church consists simply in laying on of hands and offering a prayer for the candidate. It does not contain a word about receiving the Holy Ghost or forgiving sin. Another fact ascertained for us is that the words in question were never used in the Western Church in the form for ordaining presbyters until the latter end of the thirteenth century, when they were found for the first time in the Bangor Pontifical of Bishop Anianus, A.D. 1270, that is, about fifty years after auricular confession was for the first time made compulsory by a decree of the Fourth Lateran Council. The writer of the article in the *Quarterly* plausibly argues that even in the Western Church the words in question have never been used in *conveying* orders. They occur in the Ordination Service, but they are not used until after the candidate for ordination has been actually ordained, and admitted, as only a priest could be, to take part in the sacrifice of the mass, and his conclusion is that the Church


of England seems to be the only church in Christendom that uses these words in the actual conveyance of orders to her presbyters. I leave him to settle with Bellarmine the precise point at which the grace of ordination takes effect in the Roman Church. For me and Englishmen generally, it is enough to know that the magical words which are supposed to constitute the essence of ordination in the Church of England have never been used by the Eastern Church at all, and were not used in the Western Church for more than twelve hundred years after the events recorded in the Acts of the Apostles. For that long period, all over the Christian world, ordination consisted in the laying on of hands—a relic of the ancient form of election—and in the offering of prayer for the person then being ordained. If this sufficed for the whole Church during the earlier two-thirds of its existence, there can be no harm, if necessary, in recurring to it now. With these facts fully understood it is hardly too much to hope that Convocation may initiate the proposed revision, and hand it over complete for the sanction of Parliament.



THIRLMERE.


THE discussion raised by the proposal of the Manchester Corporation to draw a part of its water supplies from Thirlmere will have one effect which ought to be regarded with satisfaction by all who hold that the contemplation of beautiful objects is an instrument of human culture. It has proclaimed to the whole country that there is such a lake as Thirlmere, and it will probably induce a good many more people than have hitherto visited that sequestered spot to go and feast their eyes upon its charms. The Bishop of Manchester lately had the courage to avow that he did not know exactly where Thirlmere was. My own case is not quite so bad. To the best of my belief I have seen Thirlmere; that is, I caught a distant view of one end of the lake from the Keswick road, and should have seen more of it, and of course been more gratified, if Nature had made it twice as large. I have asked several of my friends what they knew of Thirlmere, and I have had the satisfaction of being kept in countenance by their confession that they knew little more of it than I knew myself. Five minutes ago, as I sat with my pen in hand ready to begin this paper, a friend dropped in to whom I addressed the same question. What do you know about Thirlmere? His reply was nearly

the same as I had received before. "Till the present summer, nothing, beyond the glimpse one gets of it from the road. But on my last visit to the Lake District I crossed over to the western side and got a lovely view of it, with the mass of Helvellyn for a background." No man has a keener eye for beauty than my friend, and this is the same as saying that no man is more eager to search it out wherever it is to be found. He is a Manchester man, and he has given a fair share of his holidays to the Lake District for the last thirty years, and yet till the present year he never did justice to Thirlmere. Such a scandal as this is likely now to come to an end. Thanks to the Manchester Corporation, the fact is announced to the world that Thirlmere is a beautiful lake. The Bishop of Carlisle has paused in his care of souls to celebrate its loveliness in the *Times*. Mr. Somervell and half a score of other devotees have presented themselves to the public with handkerchiefs to their eyes, lamenting that this brightest gem of Cumberland is about to be robbed of its setting. The London newspapers have been appealed to. There are but few objects to which, when properly solicited, their professional sympathies are denied, and their voices have helped to swell the chorus of universal grief. Henceforth, the fortunes of Thirlmere are made, and the benefits of æsthetic culture indefinitely extended, but there is a drawback which those who have assisted in accomplishing the revolution will no doubt secretly deplore. Thirlmere will be vulgarised. It will be the haunt of tourists and trippers. Henceforth it will be impossible to steal down to its margin without catching sight of a dozen intruders with sticks in their




hands and knapsacks on their backs, pretending to sensibilities which they never possessed, and thrusting their rude personalities within one of Nature's most sacred temples. Presently there will be picnicing on the banks of Thirlmere. A field glass will perhaps discover fragments of orange peel and broken lemonade bottles. The charm of solitude and the solitariness of enjoyment will have gone for ever, and a picture which ought to be reserved for the delectation of a bishop's eyes will become as common as a peepshow at a village fair. I am much afraid that a love of Nature, as displayed by some of her professed votaries, may easily acquire a tinge of misanthropy, and that a beautiful landscape may lose much of its beauty in their eyes from the mere fact of the number of its admirers having increased from scores to thousands. If this is true of Mr. Somervell and "Harvey Carlisle" they may as well confess it, and stop the contention at once. Thirlmere is notorious, it is popularised, it will soon be "vulgarised." This monopoly of the chosen few is broken up, and cannot be restored, nor can the Manchester Corporation, with all the powers of mischief at their disposal, make matters worse. Mr. Somervell, as appears from the pamphlet he has written on this subject, is afraid of being thought selfish. I think he has good reason to be apprehensive of this indictment, and it speaks well for him that his conscience has descried the possibility so soon. In the hope of strengthening this struggling sentiment in him and others, I ask them to review the facts, and if Mr. Somervell will say his prayers, or read a chapter in Matthew before beginning, I shall be all the more confident of a good

result. What do the Corporation of Manchester want at Thirlmere? They don't want to lay out a pleasure park, nor to enclose a game preserve, nor to acquire a large domain where they can shoot grouse or stalk deer. They go there in search of the first necessary of life. They want water. Nearly a million of human beings are dependent upon them for this commodity. I lay no stress upon Acts of Parliament, though they are bound by statute to execute this trust; I prefer appealing to the wants of humanity and the laws of Heaven. The water necessary to supply this vast number of people with the means of life and comfort and cleanliness must be caught from the skies. We must take it as heaven sends it, and go for it to the place where it is sent in most abundance. The rainfall at Thirlmere and in the immediate neighbourhood is greater than it is anywhere else in England. Water in measureless quantities descends in showers upon the hill sides, is carried into the Lake, and flows away to the sea. This wasted water, or a small portion of it, is the thing we want. It is proposed to catch and detain this portion for our use. To do this it will only be necessary to throw an embankment across one end of the lake, where its superfluous water pours into a brook. This device will enable us to store the quantity we want, and keep up an unstinted supply to nearly a million of people for ever. This is the simple, humane, benevolent proposal. What are the objections? The first is, you are going to make money at our expense. The reply is short. Not a penny. When the cost of construction is defrayed, should that time ever come,




all the money that is left after covering working expenses will go towards lowering the charge for water. We shall get water cheaper, that is all; nobody on earth being in any other way one farthing the richer. But, it is said, you could get the water elsewhere. Possibly, but nowhere else so conveniently. At Thirlmere we can get all the water we want on the same spot and at the smallest outlay, while the height of the lake above the level of Manchester is sufficient to let the water reach us all the way by a natural fall. These objections being disposed of, we are met with the main one. You will spoil the lake! I will take this argument in its strongest form. I admit by way of concession that the lake will be "spoiled." What then? There are some sixteen lakes in the Lake District. Of these sixteen we ask permission to draw from one. It is one of the least known. It is not one of those that give renown to Cumberland. It is not one of those which everybody goes to see. It yields enjoyment to a few connoisseurs, perhaps one or two hundred in the season, and they linger upon it perhaps for half an hour. So, for the sake of one half-hour of the fleeting perceptions of a lifetime in the experience of a handful of people, we are to hamper and stint a million in the enjoyment of one of the necessities of existence, one of the common gifts of God. Yes, Mr. Somervell, I think you may justly apprehend that you will be charged with selfishness, not selfishness of the sordid type which shows itself in a thirst for gain, but that more insidious though equally ignoble sort which leads us to set the nourishing of some sweet and delicate emotion higher than the welfare of our

fellow-creatures, and, in worshipping some little bit of physical beauty solely for the gratification which it yields, blinds us to the higher beauty of benevolence and self-denial. This is the vice of voluptuaries, and there are voluptuaries in æsthetics as well as in the grosser appetites of the senses. I hardly dare hope that Mr. Somervell will acknowledge himself confuted, or feel in the least ashamed. He will still go on pleading that we shall spoil his lake, and it is therefore desirable, not for his sake, but for the sake of other people, less lost in sentimental hysterics, to see exactly what will be done. There will, as I have said, be an embankment at one end of the lake fifty feet high, and one hundred and seventy yards in length. This embankment will be built of the same sort of stone as that of which the adjacent rocks are composed, so that, without any intrusive effort of art, there will be harmony of colour between the two, and the effect of the embankment will be to make the lake almost twice as large as it is now. This is the whole of the change which will be made. The sides of the lake will not be touched. The water will merely rise some fifty feet higher—that is all. But, exclaims Mr. Somervell, in summer time, when the water is drawn off, the lake will be reduced to its old level, and instead of the lovely shore which now serves as a setting to its gem-like waters the eye will rest on a broad margin of mud. This is one of Mr. Somervell's fancies. The truth is that in the longest drought, such as happens once or twice in a century, the level of the lake will not fall more than six or seven feet. To reduce it to its old level it



would be necessary that there should be no rain in Cumberland for a year and a half; and as for the bugbear of mud, there will be no mud, because the stuff which makes mud is wanting. The water flows along rocky and well-washed channels down the hill sides in a state of perfect purity. There is no sediment to be deposited, and the sides of the lake are as rocky as the channels down which the streamlets run. But you will at least submerge the shore, sighs Mr. Somervell, and those graceful curves will disappear, and so will those picturesque promontories. This, of course, is not to be denied. Everything not more than fifty feet above the present level of the lake will be submerged, but, as the water will simply rise higher along the enclosing hills, other curves and other promontories may be expected to be formed, not less graceful and picturesque than the old ones, while some of the present promontories, we are told, will be turned into wooded islets, masses of foliage reposing upon the crystal surface of the lake. So it seems we have not to deal with a case in which all beauty will be destroyed, but simply with a change of form, one set of outlines and picturesque accessories being substituted for another, leaving it an open question whether the new arrangement may not be more beautiful than the one it supplanted. But it will be the work of man. Yes, that is the sore point. If an earthquake were to rearrange the masses of rock at the end of the lake, so as to answer all the purposes of an embankment, the change would be hailed as an instance of the admirable way in which Nature by repeated touches can improve upon herself. We should be called upon to exult

in the greater amplitude of the lake, to note with delight its bolder outlines and the leafy islets that now floated on its bosom. The thing to be really deplored is that these changes will be brought about by some engineer in carrying out the orders of the Corporation of Manchester, and that the changes are made for a useful purpose, that is, for supplying the daily wants of a million of vulgar human beings a hundred miles away. Well, there are such things as a sluggish imagination and a defective sense of beauty. In matters of taste, as well as in those of the understanding, it is possible to be enslaved by the bondage of the letter, instead of allowing our conceptions to be expanded and informed by the spirit of life and freedom. Man and nature form but one great whole. Through the eyes of man, the Almighty still looks forth upon His works, and pronounces them very good. No work of art, the interpreter of nature, can pretend to be great unless it stirs some human emotion, and tells some story which all of us can comprehend. But if this earthly home and its occupants are so closely allied and bound to each other by so many spiritual correspondences, that surely must be an imperfect conception of nature which leads us to suppose or permits us to feel that any part of it which is beautiful in itself becomes less beautiful when it ministers to the wants of man. That the waters which glisten beneath us are conveyed by secret channels far away to the neighbourhood of some great city, where they rise again to the surface, fresh and bright as when they danced down the mountain sides, and there become ministering spirits of purity and health in




thousands of human abodes, is surely not a fact which is fatally incongruous with the picturesque. They to whom it is should seek out some wise physician of souls. Their spiritual culture is defective. They are shorn of one half of their human sympathies. They may talk a patter of art, but they are incomplete as artists because they are incomplete as men.




MR. DARWIN.

THIS day week, a special Congregation was held in the Senate House, Cambridge, for the purpose of conferring the degree of Doctor of Laws upon Mr. Charles Darwin, the author of the "Descent of Man" and of many other works, which have raised him to the highest pitch of celebrity. It was altogether a striking and suggestive scene. The gallery was filled with undergraduates—wild, half-taught youths, fresh from the public schools, in whose retentive hearts the simple theology of Homer and the chaste lore of Ovid had not extinguished the orthodox prepossessions of the nursery. I am afraid that on this occasion they must be held to have represented the "stupid" party. We may regard them as symbolising those children of this world, those mole-eyed worshippers of sense, blind to the subtler and broader glimpses of the Divine which now and then flash upon mankind; in a word, those Philistines who, in every age, have found their wisdom in sneering at new thoughts, and in adjuring us to stand upon the ancient ways. They acted their part to perfection. They had brought with them the figure of a monkey dressed in academical costume, and they suspended this mannikin from a rope stretched between the opposite ends of the gallery, so that it hung over the




head of the great naturalist as he stood to hear his praise sounded by the Public Orator. The figure so attired they presented to Mr. Darwin as the "missing link" which he had so long been in search of, and at length had happily discovered. In the fulness of their innocence they did not see what was at once apparent to the spectators, and has since been recognised by the public—that they had no need to go to the trouble of making and dressing up a monkey, since the post assigned to it in this freak of humour might have been more appropriately played by one of themselves. On the floor of the Senate House we had a dramatic contrast to the undergraduates in an assemblage of robed and reverend men, the representatives of the highest scholarship and the purest orthodoxy in the land; luminaries of the Schools, and pillars of the Church, the flower and pride of one of those venerable Universities which have been consecrated for six centuries as places of "religion and learning." In the awards of these august and unimpeachable authorities we hear the sentences decreed upon rival reputations and rival theories by the piety and intellect of the age. The Public Orator was their spokesman. What he said was drowned in the uproar made by the undergraduates; but, rightly judging that words spoken on such an occasion were too valuable to be lost, he considerably sent an abridged version of them to the press, and I find it unusually interesting. He began by complimenting Mr. Darwin upon the proof afforded by his own descent of the truth of the doctrine that genius is hereditary. The best-known advocate of this doctrine is Mr. Galton, in whose hands it has been applied

to curious uses. He would have us, for example, arrange our marriages with a nice adaptation of temperaments and organisations, so as to make the indulgence of our private tastes subsidiary to the physical and intellectual perfection of the species. Mr. Darwin has a distinguished ancestry. His father was a physician of repute. His father's father was Dr. Erasmus Darwin, the poet of Naturalism, and author of the "Botanic Garden, or the Loves of the Plants." This poem, the title of which sufficiently expresses the theory it was meant to expound, was published in 1781, nine years before Goethe's "Die Metamorphose der Pflanzen," which illustrated a similar doctrine. On his mother's side Mr. Darwin is the grandson of Josiah Wedgwood, a great name in the Potteries, who first wedded the beauties of classical design to our fictile manufactures. So, if one fact can prove a theory, the hereditary character of genius might be held to be demonstrated in the person of Mr. Darwin. In this case it has undoubtedly been hereditary, and it has had for three generations the same specific tendencies, a fact which may, perhaps, be held to prove too much. After complimenting Mr. Darwin on his distinguished ancestry, the Public Orator proceeded to maintain that, though the stuff of genius was in him to begin with, a clever schoolmaster was necessary to bring it out; and this led to the bestowal of other compliments upon those famous schools which have shared in the education of Mr. Darwin—Shrewsbury, Edinburgh, and Cambridge. At Cambridge he studied at Christ's, the College of John Milton; and as the scene of Milton's "Comus" was laid not far from the banks of the Severn, which



flows by Shrewsbury, the Orator saw his way to another compliment. He pictured the nymph Sabrina rising from her "coral paven bed" beneath the yellow waters of the stream, to place her own immortal wreath upon the grey hairs of the illustrious man who was the first to unfold the story of the coral reefs. All this is pretty, and there was much more about the love songs of birds, the variations in the breed of pigeons, and the shells of the barnacles "fruitful of legends," but there were more ticklish themes ahead which could not be entirely passed over. The "Descent of Man" was touched upon lightly, a couple of classical quotations being made to do duty for original comment. The old Latin poet Ennius, in a fragment quoted by Cicero, exclaims, "How much the monkeys resemble us," to which Cicero rejoins, "But how unlike us in their manners"—two not very profound remarks, which would be hardly worth quoting were it not that they are dressed in a garb so dear to scholars, and therefore have an adventitious value, like a bit of the Athanasian creed. They have, at all events, this advantage, that they neither beg nor conclude the question, but leave us just where we are after a visit to the Zoological Gardens. Mr. Darwin's other works were passed over with the same light touch, though something like an academic approval was bestowed upon the theory of evolution by adapting to it a passage of Lucretius, which, in its original context, refers to the slow growth or evolution of civilisation, and thus, probably without meaning it, the Orator threw the canonising halo of his rhetoric round Mr. Darwin and Mr. Herbert Spencer at one flash. By this time, as the

flight of compliment could ascend no higher, it was necessary to come to an end. So Mr. Darwin was informed that it was only right that a man who had thrown so much light upon the laws of nature should become a Doctor of Laws. I have lingered lovingly upon this academic flirtation, adding to the brief version of the official oration such elucidations as occurred to me, all unworthy as they are of so charming a text. But now that this part of my task is finished, my thoughts are free to follow their own bent, and guided, perhaps, by the law of contrast, they have already transferred me in imagination to very different scenes. One of them is Oxford, as it was in the thirteenth century, when the rudiments of a University were struggling into existence, and the spot in Oxford which attracts me is the cell in which Roger Bacon, the *doctor mirabilis*, lies confined. He has been there for almost ten years, sleeping at night on his bed of straw, debarred from the visits of his friends, well-nigh cut off from human intercourse, and starved to the bone on his diet of bread and water. He is a Franciscan monk, and this is the treatment to which his brethren have doomed him. His crime is that he is given to pry into the secrets of nature, and that by the application of mathematics to physical experiment he has made many wonderful discoveries, so wonderful that they are ascribed to the influence of the devil. He knows the secret of gunpowder; he has ascertained some of the laws of optics; he has invented the magnifying glass. When accused before one Pope, he wrote his "*Opus Majus*" in self-vindication—a work dealing with the entire range of science as it was



then known. This proof of his genius procured him his liberation from his then imprisonment; but his accusers were more successful with another Pope, so he was immured again, and kept under lock and key till the last sands of his life had almost run out. Such were the honours conferred upon the brilliant discoverer of the thirteenth century. There was no Public Orator to quote Ennius and Cicero in his favour. His successful study of the laws of nature earned for him a far other guerdon than to be saluted as a Doctor of Laws. Three hundred and fifty years later we catch the accents of Galileo's abjuration. He has satisfied himself that the Ptolemaic system of the universe is false. He knows that the earth is not the centre of the universe, around which sun and stars revolve, but is one of a company of planets which follow their annual courses round the sun. This is the doctrine he has proclaimed; it has been denounced as heresy, and the Inquisition has hold of him. Happily for him, intolerance has lost much of its old venom; it is too late in the day to put such a man to death, but he has contradicted the doctrines of the Church, and must languish in prison until he consents to purge himself of his heresy. So on the floor of the Inquisition Chamber the old man kneels down and solemnly swears on the Gospels that it is not true that the earth moves, but that on the contrary it is fixed immovably, not stirring an inch in space from one century to another. Let casuists measure the depth of Galileo's guilt in swearing to a lie in order to save his body from the flames. He was a philosopher, and thought perhaps there was no great harm in answering

fools according to their folly. At all events he yielded to a temptation which must have had great power in all ages with people of sensitive nerves, and, highly as I am prepared to rate the ethical virtue of Mr. Darwin, I rejoice, for the sake of science and morality, that his intellectual integrity has not been required to stand so severe a strain. Now-a-days perhaps the danger to be dreaded lies in the opposite direction. Our men of science are heroes, we crown them with chaplets, we hang with rapture upon their words, and shall presently bestow upon them the saintly honours of canonisation. If the evolution theory upon which the Public Orator at Cambridge threw the splendour of his approving rhetoric is true, Mr. Darwin has made considerable havoc in the groundwork of Christianity, as it is generally understood. If his theory of the origin of man is to be accepted, we must not only give up the Mosaic account of the Creation as a whole, but also that particular account of it which relates to man. The story of Adam and Eve must be relegated to the realm of pleasant fiction, and the picture of the Garden of Eden, with its pair of occupants, replete with every physical and moral perfection, presenting in their own persons an ideal to which none of their descendants have ever yet attained, and none ever will attain till they are clothed upon with immortality, must be allowed to disappear with the rest of our waking dreams. With Eden and the perfect man disappear also the phenomena of the Fall, and the vast theological fabric which has been built upon them. I will not undertake to say how far the doctrine of the Fall is necessary as a preliminary adjunct to the Scripture doctrine

of redemption. As set forth in catechisms the union is complete, so that the abandonment of one is the abandonment of both, but possibly the union is traditional rather than necessary. There is not much said about the Fall in Scripture—exclusive, that is, of the Primitive account. It is rather assumed than asserted in the theology of St. Paul, though it must be admitted that the presence of the assumption is everywhere felt. In the recorded sayings of Christ I do not remember a single reference either to the Fall as an historical fact, or to any of those views of human nature which are commonly connected with it. But, undoubtedly, the popular notion of Christianity is that which regards it as a scheme of restoration, of recovery, a getting back to an estate of perfection which was once ours, but which has been lost, and this notion is utterly irreconcilable with the theory which Mr. Darwin suggests as the most probable explanation of the past history of mankind. In his scheme there is no magnificent inauguration of human destinies followed by a sudden and, so far as this life is concerned, an irrecoverable collapse, but a commencement from the frailest, lowliest, most rudimentary beginnings, followed by inconceivably slow, but tentative, never resting, and ever victorious progress. As the imagination can hardly stoop to conceive of the obscurity and humbleness of our earliest origin, and cannot attempt to take in the vast romance of our subsequent career, so is it utterly incompetent to picture the physical and intellectual and moral glories in which the race may some day revel. I can dwell no longer upon this tempting theme. I only wonder how the Cambridge Doctors of

Divinity and official guardians of orthodoxy will manage to square accounts with Mr. Darwin. Perhaps it is believed that a niche may be found for him in some sequestered corner of the Christian fabric. Perhaps some misgiving may exist as to the amount of theology we have read into the Bible compared with the amount we have extracted from it. Finally, perhaps some reliance may be placed upon the adaptive genius of theology, and a well-founded belief may be entertained that, as it has digested Galileo and the new system of the universe, so it may be trusted in due time to digest Mr. Darwin and the new science of man.




CHANCERY LAW AND TRADE CUSTOMS.

WHEN Mr. William. Graham, in the course of his cross-examination in the case of "Williamson *v.* Barbour," expressed his firm conviction, founded on the broadest of mercantile experiences, of the general honesty of the Manchester trade, the Master of the Rolls observed that he was glad to hear it, because "it showed that the feeling and practice of Manchester was higher than that of the Court of Chancery." The sentence is neither accurate nor clear, but I do not venture to alter it, and I assume that the learned Judge intended to indulge in a sneer at our expense, an interpretation which is proved to be correct by Sir Henry James's rejoinder that we "had better have Manchester men for judges." The Master of the Rolls displayed the same *animus* throughout the hearing of the case. He showed an extreme eagerness to cause it to be understood that the customs of the Manchester trade, as between two such firms as Barbour's and Williamson's, and in reference to transactions like those in which the suit originated, by whatever innocent names they were known down here, were regarded as "fraud" in the Court of Chancery. The inference is, of course, that the customs referred to are essentially dishonest, and that, as men are assumed to

intend the consequences of their own acts, the traders who follow such customs are also dishonest—that is, to use a plain word, they are thieves. This inference is at variance with all that one knows of the persons thus inculpated, and with the estimate currently put upon the customs so described. Nobody believes for a moment that the Messrs. Barbour have been guilty of fraud. The system on which the business of the two firms in question has been transacted is open to serious objections from a theoretic point of view, but it is the system which universally prevails, it is a system which is universally understood, and nobody outside the Court of Chancery will say that it is necessarily fraudulent. It is capable of lending itself to fraud, just as a man who is generally honest may fall into temptation and do wrong, but the use to which it may be occasionally applied no more convicts the system itself of dishonesty than the lapse of one man would prove that all men are thieves. It would appear, therefore, that there are two moralities, one enthroned at Lincoln's Inn, with the Master of the Rolls for its high priest, and the other permeating the thoughts and hearts of the mercantile classes in Manchester, who, less happy in their unconscious achievements than Monsieur Jourdain, have been rogues all their lives without knowing it. What is the reason of this remarkable disaccord? This is the point I wish to explain, or to offer some remarks towards explaining. On the one hand, let us look at the peculiar character and functions of the Court of Chancery, and first, as light is thrown upon them by the origin of the Court, though on

this point I will not detain my readers for more than a minute. When the judicial business of the country was first distributed among the Courts which have since been known as those of Queen's Bench, Exchequer, and Common Pleas, the King's Council reserved to itself the consideration of all cases which did not fall within the cognizance of those Courts, or for which the remedy supplied there would be inadequate. Cases of wardship, settlements, trusts, property disputes, and in general all cases in which some civil wrong had been sustained and redress was sought, were brought before the Council. By degrees the King's Chancellor, who had heretofore presided over the Council, began to hear causes sitting alone, till at length he was recognised as a sole judge, with a Court of his own—viz., the Court of Chancery. The principle upon which justice was administered in this Court differed from that which prevailed in the other Courts. The Court of King's Bench administered the law according to the established usages of the nation, or the common law, modified from time to time by statute and by the decisions of the judges themselves. The Court of Chancery had of course to take cognisance of the statutes passed by Parliament, though there were very few of these during the earlier period of its history, but its main principle was that of deciding equitably between man and man; doing that which was right with due regard to the circumstances of each particular case; in other words administering "equity." The primitive guide of the Chancellor was, or was supposed to be, his own conscience, his own perceptions of right and wrong. He was just an upright man in wig and gown,

acting for the best according to the light that was in him. But this primitive state soon passed away. Each decision, as soon as pronounced, became binding upon the Court, and in this way a vast body of principles and maxims of law grew up which were applicable at once to the fresh cases brought forward for adjudication, or had to be modified or extended so as to be applicable to the more complex facts growing out of the progress of society. In this way, at a time I need not attempt to fix, there grew up a set of maxims applicable to the relation between principal and agent. When the principles applicable to this relation were first considered and fixed, the relation itself was most familiar to the Courts in connection with the administration of landed property, for at that time there was but little trade in the country, and what there was of it was carried on according to the simplest forms, so that a business agency as now understood was in all likelihood utterly unknown. Yet it was then that the maxims applicable to agency began to be moulded, beginning with the rudimentary maxim *qui facit per alium facit per se*. It will be seen at once how necessary it was for the Court to be provided with a body of clear rules, how those rules would be sharpened up from time to time, and how summarily the Court would determine the moral character of every case that was brought before it according as it was in harmony with or violated those rules. The Court had, as I have shown, from the first an ethical character—it administered equity, its rules ascertained for judicial purposes what equity was, and it followed inexorably that everything at variance with them



was inequitable, that is, wrong, fraudulent, or fraud. But these rules, however excellent, were arbitrary. They were the official or judicial tests of what the Court considered to be right and honest, but it by no means follows that in the broad field of human action everything which those rules condemned was in itself wrong and dishonest, and still less that it was so wrong and dishonest that it could only have been done with a fraudulent motive. Take, for example, the legal maxims relating to agency. It is held that in any given case a man must be either a principal or an agent; he cannot be both. This is a sound rule for keeping matters all square, for doing away with pretences or opportunities for dishonesty; but it does not follow that with reference to a complex set of transactions all terminating in one transaction, say the exporting of 5,000 pieces of cloth, the same man may not be both principal and agent and yet be perfectly honest, and the whole of the transactions be honestly conducted. So with the other maxim that an agent shall be entitled to the commission agreed upon and to nothing more. That again is admirable as a rule of method for preventing entanglements which might shelter dishonest practices and make their detection difficult; but it does not follow that a practice of business which treats the commission agreed upon as only one part of the agent's remuneration, and makes up from other sources the total sum which is necessary to his adequate payment, is, in point of fact, dishonest, or that it withholds from the principal anything which properly belongs to him. Take as an illustration the very case of which everybody is now talking.

A commission firm informs me that three per cent is the lowest charge for which an agency business can be conducted, and that in "fancy articles," where more trouble is involved, the charge ought to be nearer five per cent. The Messrs. Barbour charged the Messrs. Williamson a direct commission of one per cent ; but it is notorious that the actual cost of the labour and clerkship expended would amount to much more, to say nothing of profits. In accordance with the universal practice, they made up this deficiency by means of incidental profits in the execution of the commission, and the Messrs. Williamson received full value for the whole. In doing so they transgressed one of the maxims of the Court of Chancery, but the transactions were substantially honest, at all events in this way and to this extent, that the whole of these emoluments only paid them for the work they had done. The maxims of the Court of Chancery are applicable only to business in its most simple form, whereas the actual business of the Exchange, like any natural growth, tends to variety and complexity of forms, and the application to them of those rules is apt to resemble the clapping of a stout and growing man in a strait waistcoat. If the process is necessary as a safeguard to honesty and as a means of enabling the Court of Chancery to give out precise and consistent judgments, the hardships resulting from it must be endured ; but to stamp a practice as fraudulent merely because it does not harmonise with a rule set up to prevent fraud, is an abuse of language, and if used by a person and not by a Court it might be treated as a cheap arrogation of superior virtue.

The customs of Manchester have had a growth as well as the Court of Chancery, and though the methods sanctioned by the one and enforced by the other happen to vary, it does not follow that both alike may not be the same in point of substantial honesty. When the first commission transaction was entered into we may suppose it to have been agreed upon in some such manner as this. A foreign merchant would say to the man here whom he wished to make his agent, I want you to buy and forward goods on my account ; what are your terms ? The person thus addressed, new I assume to the business, for we are dealing with the first transaction, would run through the whole of the process in his calculations, and would perhaps say—Well, you will leave the details to me ; I shall be able to make a little out of the work to be done, and taking that into account I shall be satisfied if you give me one per cent on the commissions executed. It is in some such way that customs begin. The first arrangement of the kind is the model for others, till at length the method pursued is known to everybody, and its adoption in any new case is taken for granted. You will do the business on the usual terms, of course ? Yes—one per cent commission, is the reply, perhaps, all the rest being as well understood as if it had been written down on parchment and sealed with seven seals. In devising these methods of business the parties do not dream of the Court of Chancery, and take no note of the maxims applicable to principal and agent. They act for their own convenience ; the relation between them grows and changes according to circum-

stances, in absolute disregard of pedantic forms. They are both honest, they trust each other, and they go on for years with ever-increasing satisfaction. What does it matter to the merchant whose commissions are executed whether the firm which executes them is partly principal and partly agent? The only result of insisting upon a simplification of the relationship would be that the direct charges of the agency would be doubled, or trebled, or quadrupled, and the existing mode of payment is, on the whole, more satisfactory, the competition for business in the agency market being at all times a sufficient guarantee that the agent is not getting more than the average rate of remuneration. I venture to say that this is a perfectly natural and honest growth—just as natural and honest in the sphere of commerce as that of the Court of Chancery is in the sphere of law. The maxims of the Court are meant partly to protect public honesty, and partly to enable the Court to decide in an easy manner and on a uniform system what shall and what shall not be reputed honest. But the ends which these rules of law were intended to secure are substantially realised in the conduct of Manchester trade. Mr. William Graham's testimony, at least on that point, is pertinent and conclusive. When a man can say that he has done business in this city to the extent of millions, year after year, without a scrap of writing, and without a single dispute, though the Master of the Rolls may laugh, the lay public will conclude that the morality of Manchester may perhaps challenge comparison with the morality of the Court of Chancery, especially if we are permitted to call in the

private practice of the Court, in questions between advocate and client, and in a sense mercantile, to illustrate the theories of rigid virtue which they professionally expound. But the Courts are our masters, and must prevail. We must modify our old methods and accommodate ourselves to their rules. Henceforth this is a matter, not of honesty, but of self-defence, for it will never do for one firm to transact the business of another firm for twenty years at the risk of being called upon at the end of that period, by an application of the maxims of Chancery, to surrender two-thirds of its earnings.




THE NEW "PAPAL AGGRESSION."

It has lately been stated in telegrams from Rome, purporting to emanate from the Vatican, that the Pope intends to bestow upon the members of his communion resident in Scotland the same blessing of regular hierarchical government which was bestowed upon their brethren in England, amid volleys of Protestant hail and thunder, twenty-seven years ago. The report is likely enough to be true. The establishment of the hierarchy in England has been regarded as one of the glorious achievements of the present Pontificate, and it is natural that the Pope should wish to crown the edifice by bringing within the pale of ordinary episcopal administration the whole of the island which was for so many centuries the rich and faithful appanage of his predecessors. Man proposes but Heaven disposes. The accounts which reach us of the condition of the Pope render it more than doubtful whether he will live to see his hopes fulfilled, and his successor will probably have too much important work on hand to find leisure for attending to mere matters of taste and symmetry. It was stated in connection with the original


report that the Pope had written an autograph letter to Queen Victoria thanking Her Majesty for having given her consent to the scheme. Here there must be some mistake. It is impossible that Her Majesty should have said or done anything implying sanction, or approbation, or even consent, to the establishment of a Roman Catholic hierarchy in Scotland. But it is possible—especially since Lord Beaconsfield happens to be in power—that information of the Pope's intentions may have been unofficially communicated to the Government, and laid by them before the Queen ; and it is also possible that the Pope's intermediary may have ascertained from the same authentic quarter that the carrying out of the scheme would awaken no such angry resentments as those which saluted the escapade of 1850. But, as I have said, remembering that Lord Beaconsfield is in power, it will not do to be too positive either as regards the present or the future. A statesman who notoriously holds all our time-honoured constitutional traditions in contempt, and who has already departed from them so far as to make the Queen an Empress, may very well venture to tread upon our corns a little further by establishing a Papal Nuncio at Westminster. As regards the newly-projected scheme of "Papal aggression," I presume we are all wiser than we or our fathers were in 1850. There is really nothing peculiarly aggressive in it except in the matter of territorial titles, and these are mere names, so many bits of fluted sound, which nobody need use or recognise except he chooses. In one sense, we are all aggressive. Every man-child that passes from the cradle into the world of action has to assert himself

upon a stage which was quite filled up before he made his appearance, and he can hardly exercise his rights without bidding other people take care of their toes. Every new opinion is aggressive upon the opinions already in possession, and can only make its way by restricting them within a narrower domain. Every new preacher, every new commission agent, and, if I may venture to take a liberty with my patron, every new editor, is a highly aggressive force which clashes with and holds in check every other member of the body of existing forces upon which it rightfully intrudes. From another point of view it would be easy to show that this seeming discord is but "harmony not understood," that all these varying notes adjust themselves to their proper place in the diapason of society. Aggression is the more active side of the struggle for existence, by which the good is separated from the bad, the sheep from the goats, and the moral right to endure is certified. In this sense the right to aggress is inherent in every man—in all his thoughts, and in all the institutions that issue from them; that is, they all have a right to try to live, on the understanding, however, that they must not grumble if they get the worst of it in the strife. The establishment of a Roman Catholic hierarchy in Scotland will hardly introduce a perceptible element into that land of impulse and of logic. John Knox settled its destinies for all time. There are signs of a breaking up of orthodox creeds, but it will be a slow process, and the new forms into which the thoughts of the coming generation may shape themselves will be even more widely at variance with Catholic theology than the



Covenants and Catechisms out of which they grew. The change proposed will be mainly one of name. Scotland is divided into three districts for Catholic Church purposes, the Eastern, the Western, and the Northern, and these, it is to be presumed, will be turned into dioceses. The Eastern and Northern districts are under the charge of Vicars Apostolic : the Western district has an Apostolic Delegate, who exercises the jurisdiction of a primate for all Scotland. This dignitary, the Most Rev. Charles Eyre, who resides at Glasgow, is titular Archbishop of Anazarba, and the two Vicars Apostolic are titular bishops, also *in partibus infidelium*, that is, of places where there are no Christians, and where, consequently, no bishops are wanted, though they are made to supply titles for the use of bishops who are employed elsewhere. Though these prelates hold episcopal rank they do not exercise episcopal authority; they are merely vicarial agents acting on the Pope's behalf. There is not now the same difference between bishops and Vicars Apostolic as there used to be. The decrees of the Vatican Council have made great havoc with the independent jurisdiction of bishops, and reduced them to the common level of Papal lieutenants, the Pope, as supreme bishop, having immediate jurisdiction over every member of the Church, whether priest or layman. So the only change which will take place in Scotland when the new hierarchy is established is that the Apostolic Delegate, already holding archiepiscopal rank, will be turned into an Archbishop of Glasgow, and his associates, already bishops, will be made Bishops of Edinburgh and Aberdeen. The

Roman Catholic Church is not very strong in Scotland. The clergy, regular and secular, are 257 in number, and there are 239 places of worship of all sorts, many of them mere mission stations, which are visited occasionally, and a few of them private chapels. The extinction of the ancient hierarchy, as it is called, dates from the death, in 1603, of James Beatoun, Archbishop of Glasgow, after nearly half a century spent in exile. The real extinction of the hierarchy dates from 1560, when the cause of the Reformation finally triumphed, so that it has been in abeyance for 317 years. Roman Catholic historians, in tracing back the fortunes of their Church, indulge in long perspectives. I do not know what date they would assign to the commencement of the Scottish hierarchy which collapsed in 1560, but probably they would carry it back to the mythical times of St. Ninian and St. Mungo, and claim for it a duration in Scotland of about a thousand years. On the strength of this calculation they affect to look upon the period which has elapsed since the Reformation as a merely temporary triumph of heresy intercalated into the annals of the Church. Over against three centuries of reformed opinions they set a thousand years of antecedent obedience to Rome, and give themselves many airs on the strength of this long possession, as well as of its superior antiquity. These pretensions are so much moonshine. The authority of the Pope was not universally recognised in Scotland till nearly the end of the twelfth century, and it lasted till the middle of the sixteenth. The conversion of the Picts and Scots—or of so many of the latter as had then passed over from



Ireland—is ascribed to Columba and his colleagues of the monastery of Iona at the beginning of the seventh century, the earlier labours of the half-legendary Ninian, so far as they were not mythical, having probably been effaced before that time. Columba and his fellow missionaries were Christians, but they certainly were not Christians of the Roman type. They knew nothing of the authority of Rome, they differed from the Roman Church in important matters of doctrine and organisation and church service, and they resolutely adhered to their own views and practices, even when admonished to the contrary. The bishops they had were not like those of Rome ; they resembled rather those primitive bishops who were appointed to single congregations ; and among the Scots of Ireland, from whom Columba, a Donegal man, sprang, it is said that there were more bishops than congregations. From the middle of the eighth century, when the ecclesiastical establishments at Iona were destroyed by Danish marauders, hardly anything is known of the religious history of Scotland till the twelfth century. All we do know is that the doctrines and discipline taught by Columba were maintained by the Culdees, a sort of clergy about whom there has been abundant controversy, though it is pretty certain that they differed from priests of the Roman communion almost as widely as Presbyterian parsons of to-day. So things remained till Malcolm Canmore, son of the "gracious Duncan" whom Macbeth murdered, having married an English wife, permitted that lady to reform the Church after the Roman model ; but the twelfth century had almost passed away before the Pope could call himself the

ecclesiastical ruler of Scotland. The sway then established lasted, as I have said, till the middle of the sixteenth century, so that we have at hand the materials of an edifying calculation. From the seventh to the twelfth centuries, both included, the Scotch were Christian, but not Roman. That gives six centuries on the non-Roman side of the account. From the beginning of the thirteenth century till the middle of the sixteenth they were Roman Christians, which gives about 360 years to the Roman side of the account. From 1560 to the present time they have been Protestants, a sort of return, with improvements, upon their old Culdee progenitors, and this gives 317 years to the non-Roman side. Adding, now, the first and last periods together, we have 917 years out of the history of the Scottish people during which they rendered no allegiance to Rome, and 360 during which they were the Pope's faithful children, so that, roughly speaking, Scotland has been non-Roman for nearly three times as long a period as she has been Roman. We cannot make so large a deduction in the case of England, though even in this country we should be entitled to make large abatements from the theories usually held up to our wondering reverence by Roman Catholic historians. As for Ireland, though the Irish were converted by St. Patrick about the middle of the fifth century, they did not conform to Roman practice nor recognise the authority of the Pope till nearly the end of the twelfth century, when the bull of Pope Adrian made a present of the country to King Henry II., and commissioned him to spread the true faith among its barbarous population. Thus

even Ireland, for more than one half of the period which has passed away since it renounced Paganism, was Christian, but not Roman. These are not very important matters, but they help us to correct our historical perspective, and even to form a juster estimate of existing institutions. The Scotch people won't like the re-establishment of the Roman hierarchy even in the mild form which alone is possible to it; but if they are wise they will take no notice of the innovation. How can it signify in what way a few scattered sheep are shepherded? Of what consequence is it whether the dogs which tent them are black or grey, or whether their names are composed of two syllables or of six? The whole process is perfectly harmless, and, were it not for the tenderness of ecclesiastical sensibilities, I might add perfectly childish. A great change has come over our mode of thinking on such subjects since 1850. So far as regards what I may call the politics of Protestantism, we are more resolute than ever, but as regards doctrines we are less dogmatic, and incomparably more tolerant. Besides, we see so much of a reddish hue within the pale of our home-grown churches that we feel it would be unjust to level all our hostility against the Scarlet Lady. In the domain of speculation far greater questions have come to the front. They are discussed from month to month in periodicals which allow the largest freedom to their contributors, and we are accustomed to see Cardinal Manning and Father Dalgairns standing on the same platform, speaking, as it were, out of the same pulpit, as Huxley, Tyndall, Frederick Harrison, and Professor Clifford. After all this has happened, how can we

possibly get excited because a very reverend old gentleman at Rome, whom we should probably esteem very much if we knew him, directs another reverend gentleman at Salford or Glasgow to call himself Lord Bishop of the place? He would be just as heartily welcome to call them Archangels.



STATECRAFT AND WAR.

THERE are wonderful things on the earth and in the heavens, but nothing more wonderful than man. Such is the sentiment of an ancient poet—a poet not of pastorals nor of theogonies nor of metaphysics, nor even of mere battles, but of the tragic drama—that is, of man in action, with men as co-actors, driven into action by the force of imperious motives which lay hold of the will like so many despots run mad, and in their blindness and uncontrollable-ness seem to figure forth the invisible powers of fate. In moral as well as in material economics what is seen is less impressive and less important than what is not seen. What we see is that a man dies, that a battle field is strewn with slain bodies, that messengers pass to and fro between the representatives of a nation's will and some despotic upstart who represents his own will, and that, between these apparently incommensurable forces, one of them being, by any visual estimate, so incomparably stronger than the other, a contest is impending. All this is mere dumb show, incidents without coherence or intelligibility, until we go behind the curtain, and see in the engine-house of the human heart the steam power and the machinery at work which cause all this stir outside, and up above the engine-house a big discerning eye, the focus of the understanding, surveying the materials which experience has heaped together, and which ever and

anon are flung into the furnace to keep the machinery going. The drama of the world, as distinguished from the subordinate dramas of private life, is the result of the clashing of a few strong wills, stirred up by vehement desire, and fixed at length into the instruments of settled purposes. These meet in the outside arena where all the world can see them, and struggle together like so many wild bulls of Bashan, till one or the other is gored to death or slinks off wounded and bleeding to recover its strength in some forest lair. Such is the world as we see it ; and when reflection comes to the aid of sense, enabling us to see at the same time both what is before and what is behind the curtain, the picture is wonderfully impressive. We carry about with us a guide to all the intricacies of the panorama. We have but to apply a few maxims drawn from observation, and each of the several groups of phenomena and the relations between them become comprehensible. In the first place, the political interests of the world, those which employ the thoughts of statesmen and make nations sometimes friendly and sometimes hostile to one another, differ from the interests of individuals chiefly in their greater magnitude and complexity ; that is, they all turn upon possessing more or less of what are supposed to be the good things of this life ; upon being at an advantage or at a disadvantage with respect to some second party ; upon being stronger than others, and therefore able to have one's way and to do as one likes, and exercise irresponsible power, or weaker than others and therefore obliged to concede and conciliate and submit, in other words, as the saying is, to play "second fiddle." As a matter of theory,

and to make the comparison complete, perhaps I ought to include those disinterested impulses which play an important part in the lives of individuals, and which in the affairs of nations have their counterpart in "fighting for ideas." For reasons which it would take me too long to explain, sympathy between aggregates of mankind is something very different from sympathy between individuals ; so different that the two sentiments ought to be called by different names. As a matter of fact, sympathy seldom enters into the calculations of statesmen except as a means for the attainment of purposes conceived on other grounds. It supplies them at times with enormous moral force, but there is hardly one of the tribe who would not feel ashamed if he found himself using it in any other way than as an instrument for the attainment of grosser ends. Perhaps the disinterested emotions may be considered as the byplay of life, rather than as entering into the consequential acts of its main drama. They are the flowers that adorn our path, but not the path itself. Like graceful columns and elegantly sculptured capitals they adorn the fabric, but it is not upon them that the tall spire or the massive bell-tower rests. The organic stress of life falls upon the self-regarding sentiments ; it is these that go deepest into our individuality—an admirable reason why our innermost self should be good and pure. It is this characteristic of the individual which asserts for itself the largest share in determining the conduct of nations. As we ascend from the individual to the aggregate, personal peculiarities are generalised away till we reach those essential elements which are common to us all, a fact which is roughly

expressed in the maxim that "self-preservation is the first law of nature." Unfortunately, where States and nations are concerned, self-preservation is so interpreted as to include self-aggrandisement, the one being sophistically regarded as necessary to the other, and hence the larger politics of the world have always been, and are now, a display of egotism on the vastest scale. Self-interest, that which will make us stronger or some other nation weaker, or even the exercise of power for its own sake, the consciousness of dominion and supremacy, carrying with it the ability to play the autocrat over the competing interests of mankind—such are the ordinary springs of international politics and the objects of international ambition. A novice in these matters who begins to inquire into the great events which he hears of through the newspapers usually does so under the influence of a spell which misleads him. Everything is so vast that he easily imagines it to be sublime. This furious joy of combat, this wondrous self-surrender to certain death, these fields of slaughter strewn with so many thousands of mangled carcases, these throes of national emotion which seem to shake the world, these consultations of renowned statesmen and crowned heads, whose lightest words are telegraphed from capital to capital as if they were big with the decrees of fate, surely these are the accessories of a superhuman order of actions, implying motives of the highest pitch and capacities of transcendent range and vigour. The flourishes of historians and the glorifying strains of poets help to keep up the illusion, till in this way a spell is cast over the repulsive annals of intrigue and

slaughter, and the aspect of the world undergoes a grotesque transfiguration. Get rid of the spell, sink from rhetoric and poetry into prose, and what is it we behold? A commonplace assertion of rival interests not at all different in kind from those which give animation to the pursuits of trade, and not unfrequently find occupation for the Law Courts. Given, a couple of commission agents bidding against each other for a big client, a couple of landsharks nibbling or grabbing at the same estate, a couple of railway companies contending for supremacy in a new district, a couple of "well-accustomed" hotels on the same parade almost fighting through their touts over new arrivals, or, finally, a couple of elderly ladies, who find themselves through much amiable restraint and self-denial in the same drawing room, each with a bosom laden with its own budget of scandal, each the head of its "set," which has its own exclusive and rival ramifications in the "society" of the neighbourhood, and each in the possession of a social supremacy which self-respect, to speak of no higher consideration, makes it her bounden duty to assert—here you have *spectaculum in spectaculo*, international politics reduced to first principles, a Delphin edition of the classic policies of half the Courts of Europe. Here you have your Richelieus and Mazarins, your Fredericks and Catherines the Great, your Beaconsfields, Bismarcks, Gortschakoffs, and Andrassys,—not all of them equally intriguing, none of them blame-worthy, perhaps, according to the accredited ethics of mankind; some of them probably animated by dreams which deserve to be called noble; but all of them engaged

in playing some part of the complicated game called "interest," and knocking away at each other like boys at "bandy." The game cannot but be grand, for the clubs and balls with which it is played are the resources of nations and the lives of men. Louis XIV. in this way pitched probably a million of human lives away before he grew tired of the game, and gave himself up to Maintenon and devotion as a preparation for death. I must now take note of one great difference which prevails between the rivalries of private life and those which, when waged between nations, we call rival policies. In private life we all live under the domain of law. No nation in Europe is so rude but there is in it some sort of legislation for the protection of individual interests, and a judge within call. If rival traders or rival companies push their stratagems beyond well-defined limits they will receive a visit from the policeman, and be invited in the name of the Queen to put in an appearance before some of her representatives. If the gossip of society passes into libel a suit may be instituted and damages may be awarded. Jones may look with longing eyes for a dozen years together upon that eligible corner plot of Brown's, but the fabric of the State must tumble to pieces before he can be permitted to lay hands upon it. If two gentlemen quarrel, whether they belong to the De Vere or the Sykes order of the Queen's subjects, they are not allowed to fight it out in the streets. If they try to do so, an active man in blue will be down upon them, and the law will give them to understand that, whatever quarrel they may have with each other, it has one with them.

Thus all the rivalries and ambitions and avarices and grudges of private life are kept within the limits of the law, and this restraint even helps to keep them within the narrower limits of morality. But nations have no law, no policeman, no judge ; there is no superior to reprove them when they do wrong, no tribunal before which they can be arraigned, no prison into which they can be hauled. There is something which passes by the name of international law, but the name misleads. International law supposes an international legislature, and no such institution exists. Each nation by its own laws and its own tribunals has sanctioned certain rules in dealing with foreign States, but it is itself the sole judge of those rules, and it rests with no other States to apply them. So the world is lawless as regards its political aggregates. They can do as they please. If one nation strikes another the nation struck can either pocket the injury or strike back in return. If it is too weak to resent the injury it may ask another nation to take its side, and the two together may be able to strike back with such effect that the aggressor will have to make amends—in which amends, almost sure to take a substantial form, the nation which helped the other is also sure to insist upon its share. Sometimes an injury inflicted in one generation is remembered in the next. It passes from father to son, like a blood feud in a tribe of savages, and in an unprepared moment the children's children of the original aggressor find the avenger of blood upon them. If a nation sees a desirable bit of territory lying near at hand, the only question it need ask, or which it generally does ask, is, Dare I take

it? Am I stronger than those who would unite to keep me from taking it? It is one of the inalienable rights—so considered—of every nation to declare war against any other nation whenever it pleases and for any object whatsoever. As a matter of decency, it is better not to do so without “just causes,” but plausible pretexts will do as well, because nobody is authorised to adjudicate upon the difference. This is a positively frightful aspect under which to contemplate the communities of mankind. As regards each other, they are still in that stage of “evolution” in which some barbarous tribes are found, and in which, possibly, all our ancestors existed in some prehistoric age. The question is, will they ever get beyond it? Will the time ever come when law in its silent progress from the family to the hamlet, the tribe, the city, and the commonwealth, shall extend its imperial control over all lands and all seas, smiting the sword out of the hands of the would-be conqueror, proclaiming territorial aggrandisement an offence against the common law of nations, and haling irregular ambitions and avarices and all acts of oppression done by kings or States before the judgment seat of Europe, perhaps of the world. It should be so. One would say it must be so. Meanwhile, as one drop of solace, let it be admitted that on the existing no-system some sort of justice is roughly done. Is there a sense in which “might is right?” In some sense, yes; it is so in well-administered States, the “might” of the State being placed at the service of every individual for the maintenance of his private “right.” Can we carry the identity further? Perhaps to this extent. The

worthiest nation is likely to be the strongest. National weakness generally results from national faults. The test is but a rude one, and it cannot be applied even as an illustration with any approach to equity. All we can say is that there is something in it, and that the tendency of international struggles is to give supremacy to those who are most able to use it with general advantage to mankind, that is, to "the survival of the fittest." But some one will ask me, Where is Providence in this hurly-burly of a world as you have pictured it? My answer is that I cannot say. I can only believe. One thing, however, is certain. As in the world which we call material the will of the Creator is fulfilled through the working of settled laws, so in the world of mind and morals and politics the ends of Providence can only be reached through the agency of man—of man as we find him now, and as he may hereafter become. Sennacherib the Assyrian represented the brute force of conquest in his day, but to the eye of the Hebrew seer in the midst of his triumphant progress he had a hook in his nose and a bridle in his jaws. Who will venture to go behind the veil of man's free will? There are mysteries I cannot fathom in every lump of rock and in every drop of water, and I may well have to acknowledge my helplessness before the moral riddles of the world. Snatching hope from this despair, and yielding with full heart to impulses which philosophy can never prove to be mendacious, I joyfully take my song from the lips of the Psalmist: "The voice of the Lord is upon the waters; the Lord sitteth upon the flood; yea, the Lord sitteth King for ever."

THE CROWN AND THE CABINET.

No. I.

MR. THEODORE MARTIN'S third volume of the "Life of the Prince Consort" is as interesting as were the first and second, and it may be even more useful if the English people catch from it the hints which gleam upon almost every page, and venture to infer that the jealousies which once guarded the working of the Constitution from the undue influence of the Crown, though they have grown unfashionable, cannot safely be regarded as obsolete. The publication of the volume at the present time appears to me to be an indiscretion, and an indiscretion of the gravest kind. Upon the grounds which lead me to make this assertion I should also be justified in regarding its publication at the present juncture as suggesting a purpose slightly wanting in good faith. The declared object of the work is to acquaint us with the thoughts and actions of the Prince Consort. On the whole it is a noble theme; and it is so, not because of the elevated position in society which the Prince adorned, nor of the extreme importance and, in that sense, the dignity, of the matters with which he concerned himself, but because the Prince was a noble character, pure in his life, unselfish in his aims,

and of an integrity which I for one believe to have been almost perfect. It is a privilege to be the biographer of such a man, and Mr. Theodore Martin is worthy of the privilege. But it rests with those who have undertaken the task to choose the time for issuing the several instalments of their labours to the world, and, though Mr. Theodore Martin's name is on the title page, I do not know that it would be fair to consider him in relation to this point as holding the position of a responsible minister. Three or six months' delay in issuing the present volume would have been no irreparable misfortune in the history of the work, whereas its appearance just now excites a suspicion that it was intended to bear heavily in the scale of opinion which is most adverse to Russia and most favourable to war. Such an effect is so likely that it cannot have escaped the uncommon sagacity which is engaged in the execution of this literary task, and it is in accordance with a sound legal maxim to hold that a result which must have been foreseen must also have been intended. This, I have ventured to say, is indiscreet, and the indiscretion reveals a purpose which is apart from the main object of the work. We are also allowed to infer that, in order to accomplish this purpose, the original plan of publication has been changed. It was intended to complete the work in three volumes, and if this intention had been adhered to it would have been necessary to pass lightly over the period of the Crimean war. But instead of three volumes we are to have four, and the reason is obvious. This third volume is a diplomatic and parliamentary history of the war, and it exhibits the Prince

in a new light. He is no longer, as we have heretofore known him, the calm and thoughtful observer, penetrated with a sense of the responsibilities of his position, eager to put the best construction upon doubtful appearances of conduct or of policy, and a warm lover of peace. His character seems to be wholly changed. He appears to be borne away on the wings of impetuous passion and of almost personal antipathies. He figures before us as a vehement and bitter opponent of Russia, as an advocate of war at all risks, and to the last extremes. The ruling families of England and Russia are now connected by close bonds of relationship, and I cannot but wonder what the Czar will think of his august connection as he reads this volume. He is not the man whose policy the Prince arraigns; but the man, if not himself, was his own father, and filial feeling is apt to take fire at insults to a father's memory. The extracts which are given from the Prince's letters, pointed as they are by the comments of his biographer, may be held to have a direct application to the policy of Russia as exhibited to-day, and I have no doubt will be so applied. They are of the ordinary Russophobic type, and remind me at least of the writings of the late David Urquhart, or, to take a more recent illustration, of the speech delivered the other day by Lord Stratheden and Campbell to Lord Derby at the Foreign Office. I think we have a right to complain of the firing off of this bouquet of fireworks just now. People are sure to say: These are the Queen's opinions; this is what the Queen wishes us to understand;

this is the side the Queen takes in the controversy which Parliament is being summoned to determine. And in my opinion the people will have reason for so saying. This instalment of the Prince Consort's Life is a Message from the Crown, not conveyed to us through responsible Ministers, who would be able to withhold anything of which they disapproved, or to soften touches which they thought too severe or wanting in prudence, but a Message sent straight to the nation over the heads of Ministers, and only too well adapted to fire the resentments which those who are responsible for the policy of the country might have wished to allay. Russia is not the only Power which this volume holds up in an invidious and even hateful light. Prussia comes in for the severest castigation. It is well known that in 1854 we counted upon the help of Prussia and Austria in resisting Russia. Austria went with us a little way, consenting to occupy the present Roumania till the war was over, but Prussia failed us altogether. "What have we to do with the Turk?" said the King of Prussia in a letter to the Queen. "Whether he stands or falls in no way concerns the industrious Rhinelanders and the husbandmen of the Riesengebirg and Bernstein." Prussia had other ends in view. Statesmen at Berlin had already conceived the national policy which has since been carried out with such consummate success, and they refused to shipwreck their prospects by joining us in a war which did not concern them. It is difficult to give an idea of the polite but boundless vilification which the Prince Consort pours upon Prussia for this decision. In a letter to Baron Stockmar,

the Prince says: "Prussia's conduct is truly revolting, and the King is looked upon by all political men here with profound contempt." The King is elsewhere described as the tool of Russia, as not a King, but a nobody, who does dishonour to a once splendid monarchy, sacrificing his duty to craven fear, and trembling in his shoes lest in some freak of resentment, which, however, he will pawn his soul rather than provoke, the Russians should turn round and make him uncomfortable at Berlin. The question is raised whether Prussia, having insisted upon remaining neutral, shall be allowed to participate in the peace negotiations when the time comes for putting an end to the war, and the Prince replies imperatively "No;" Prussia shall be made to stand outside in the isolation befitting her pusillanimity, and be allowed no voice in the termination of a conflict the cost and the sacrifices of which she has refused to share. Of course this volume will be read at Berlin. What will they think of it? Prince Bismarck has no doubt a copy at Varzin, and in the intervals of dictating despatches he is amusing himself with its perusal. What impression will it produce upon his mind? One impression no German can avoid. If Prussia had gone to war in 1854, if she had aspired to deserve the Prince Consort's eulogies as she saw fit to brave his censures, the future then drawing near to her would have been shipwrecked and utterly lost. She would have squandered her strength in a struggle far away from her frontiers, the bones of her industrious Rhinelanders would have whitened the plains of the Crimea, she would have lighted up irreconcilable enmities in the breasts of her nearest neighbours, and when

the time came for France to bully her—a time which would probably have arrived all the sooner if she had taken part in the war—she would have been unable to cope with her assailant, and to-day, instead of ruling Germany, she would have lost her Rhine provinces, and might even have been reduced to the rank of a third-rate Power, cooped up between the Oder and the Elbe. Such are the blunders which sagacious men may commit when they lay down the law for other countries, and their failure in one direction attaches some suspicion to their infallibility in another. I can fancy a grim smile coming over the face of Prince Bismarck as he reads these diatribes of the Prince Consort. Prussia is again neutral, but this time she is mistress of the situation. France she has disabled, she keeps Austria quiet, and under the protection of her friendly neutrality Russia prosecutes a war which, from what motives soever it was undertaken, will have for its result the reversal of the conditions established by the Crimean war. The question is now raised whether England shall participate in the peace negotiations which are likely soon to begin, and if the Czar wants to know what answer to make to our pretensions Prince Bismarck can help him to it by pointing to the passage in this volume where the Prince Consort protests in vehement terms against the injustice of conceding the similar pretensions which he thought might be urged by Prussia. The Prince Consort was indefatigable with his pen. He was incessantly engaged in writing letters or in drawing up elaborate Memoranda to be submitted to some Minister of the Crown, for his guidance in the transaction of affairs.

When the army needs re-organising, a schedule of recommendations is sent to the Duke of Newcastle as embodying in the Prince's opinion the precise steps which ought to be undertaken. When it is decided to invade the Crimea, the Prince is ready with a programme of operations, pointing out even the ground where it behoves the allies to establish their entrenched camp. When the Cabinet are about to consult upon the ultimate objects of the war, the Prince sends to Lord Clarendon a paper containing a *résumé* of the actual relations of Europe, and a demonstration of the ends towards which our energies should be directed. If there is one of the virtues of the Prince which I should feel a difficulty in defending against censorious critics, I am bound to say it would be his modesty. Here in the Cabinet were fifteen of the oldest, sagest, ripest, statesmen and administrators in the empire, yet there was not one among the chief of them whom the Prince did not undertake to advise, and a policy all cut and dried was often sent from his pen for the guidance of their collective wisdom. There were few men in the world of his age who would have felt themselves qualified for such a task. The Prince kept a keen eye upon them, and was ready to note and animadvert upon the smallest shortcomings. I cannot help pitying them. They were obliged to be civil to the Prince, but in their hearts they must often have wished him back at Coburg. Lord Aberdeen was not half warlike enough to please him. "Even yet, Aberdeen," the Prince writes to Baron Stockmar, "cannot rise to the level of the situation." The aged statesman would persist in being too candid or too humanitarian

in his views. On one occasion he committed himself in this way in a speech in the House of Lords. In reply to Lord Lyndhurst, who had been denouncing the encroaching policy of Russia, Lord Aberdeen ventured to point out that in 1829, though the Russians were within twenty miles of Constantinople, not an inch of Turkish territory in Europe was insisted on as the price of the Treaty of Adrianople. He was found fault with for this admission, and among others probably by the Prince Consort—though let it be understood that this is my surmise, and that his biographer does not say so. But what does take place is this: Lord Aberdeen writes a letter to the Queen informing her of his intention to take an early opportunity of correcting the misapprehension produced by his speech; and this, among other things, is what the Queen says in reply: “The Queen hopes that in the vindication of his own conduct to-day, which ought to be triumphant, as it wants, in fact, no vindication, he will not undertake the ungrateful and injurious task of vindicating the Emperor of Russia from any of the exaggerated charges brought against him and his policy, at a time when there is enough in that policy to make us fight with all our might against it.” I make no comments upon these remarks. My loyalty forbids. It is a somewhat graver matter when, after Lord Aberdeen’s retirement from office, we find the Prince calling him to book for the parliamentary conduct of some of his late colleagues, and striving to influence the course of a debate then about to come off in the House of Commons. In a speech delivered towards the close of the session of 1855 Mr. Gladstone urged that

we should make peace on the terms offered by Russia. Sir Francis Baring was to bring on a motion in the House of Commons in a few days, and the Queen and the Prince Consort were afraid that Mr. Sidney Herbert and Sir James Graham might take the same line as Mr. Gladstone. All three were Peelites, the political friends of Lord Aberdeen, and greatly under his influence; so the Prince sends "Phipps" to request Lord Aberdeen to see him, and as the Earl cannot come he writes him a letter complaining, to quote his own words, of "the line which your former friends and colleagues, with the exception of the Duke of Newcastle, have taken on the war question." The Prince wrote in the Queen's name as well as his own, in the hope, by timely representations, to keep Mr. Sidney Herbert and Sir James Graham from speaking in favour of peace in the debate which was to begin the next day. The remonstrance failed. The two distinguished Peelites did speak in favour of peace along with Cobden and Bright. The Prince, writing to Baron Stockmar, says that they made "Russian speeches;" and Mr. Theodore Martin informs us, as under the circumstances he was almost bound to do, that their eloquence "fell flat" on the ears of the House, though, if I mistake not, it was in the course of this very debate that Mr. Bright delivered the most famous of his many famous orations. I have hitherto laboured under the superstition that it was unconstitutional on the part of the Crown to attempt to influence the proceedings of Parliament or to stifle the freedom of debate, but on Mr. Theodore Martin's testimony I must own myself in error. I must either do this or accuse the Queen of

being wanting in respect to the usages and the rights of the House of Commons; and of tampering with the representatives of the nation in the discharge of their public duties; and this I will not do. I conclude by again expressing my regret that this volume should have been put forth at this most critical juncture. But it will have its uses, and they may go far towards making amends for the inopportuneness of its publication.



THE CROWN AND THE CABINET.

No. II.

I SAID last week that in my opinion the publication of the third volume of Mr. Theodore Martin's "Life of the Prince Consort" at the present critical juncture in foreign affairs was a grave indiscretion. Whether or not I succeeded in making good that opinion is a question I must leave, and am content to leave, to the judgment of my readers. In the same spirit I venture now to submit to them the further opinion that the whole book is an indiscretion, and I am so confident of my case that I would pledge myself to abide by their decision on the sole condition that they weighed maturely the considerations I am about to adduce. An account of the private and social life of the Prince Consort, if such a book could have been written, could not have failed to be both interesting and instructive, but it would have been simply interesting and instructive. It would have been free from politics, it would have raised no knotty problems, it would have stirred no controversies, and it would have excited no hostile criticisms. Looking into such a book to see what sort of a man the Prince was as a husband and a father, and to revive our recollections of the important part he played in connection with the literary and philanthropic movements of the age, we should have

found there the living records of a high type of human excellence, and a nearer insight into his virtues would have thrown a fresh charm around the illustrious household which they once adorned. But the book which Mr. Theodore Martin has given to the world under the auspices of the Queen is brimful of politics. For the period which it covers it is the history of England and of the world from a Court point of view. It teems with controversies in which the Prince is the central figure, while around him cower, as detected and discomfited assailants, some of the foremost statesmen of the time, whose memories have a warm place in the hearts of their "deluded" countrymen. The Prince is almost always in hot water, and he has a strange fatality for creating dislikes. He can hardly say a word without being misinterpreted, and his conduct as the Queen's most intimate adviser affords a standing text for all sorts of malevolent insinuations. But, whatever the controversy may be, we are never left in doubt for a moment as to the side to which the moral balance inclines. The conclusion which shines with dazzling brightness on every page of his biography is that the Prince was never in the wrong, while his critics and opponents were never in the right. He stands before us like some immortal hero under the soft effulgence of his native heaven, a Ulysses, an Arthur, a Bayard, and an Admirable Crichton rolled in one, the mixture being so happily compounded that the several failings of the constituent personalities are expelled, and all their perfections made accordant. The world around him is described as all "mad," or "insane," or given over to the most

contemptible ambitions. Serpents, dragons, and things of odious name prowl round the sacred enclosure within which this divinity resides, and strive to annoy him by their malignant cries and noisome odours. But he is always grand and wise and calm ; or, if his serenity is ever disturbed, it is simply by reflecting upon the ingratitude of those who have not the sense to comprehend him. Now this representation may be true to the life and to the letter, but we can hardly be expected to take it for granted. The reputations of some great Englishmen depend upon the result, and not reputations only, but some constitutional questions of considerable importance. Historical justice and the dictates of a watchful patriotism require us to dispute some of the conclusions which it is the main object of this book to hold forth as triumphantly established. See to what a dilemma we are driven. To decide against the Prince is to cast censures upon the Queen. These, though twain, are presented to us as politically one, so that the same shaft pierces both. "In attacking the Prince, who is one and the same with the Queen herself, the Throne is assailed." This is what the Queen said in a letter to the Earl of Aberdeen, and if the maxim was true in 1854 it is true now. What is the inference? A book which we are not expected to criticise ought never to have been published. The countless folios of manuscript in which Mr. Theodore Martin revels ought to have been sealed up and left to the literary executors of Her Majesty, to be made use of fifty years hence, when small and great can be judged with some approach to impartiality, and justice can be done to the

dead without giving offence to the living. There is one way out of the dilemma. In the Memorandum published near the end of the second volume, Baron Stockmar says that the desire to keep the name of the Queen out of public discussions is a device of the Whigs for extinguishing Royalty. A page or two later the Prince Consort—that is, the Queen—avows his agreement with the sentiments of Baron Stockmar. Hence, with Her Majesty's permission, I have no hesitation in dealing freely with Her Majesty's name. I cannot help thinking that the immunity from everything but complimentary criticism which it was assumed that our loyalty would secure for this book, has been reckoned upon and taken advantage of for ends which have nothing to do with mere biography. As the volume just issued reads like a Message from the Throne in favour of a spirited foreign policy, so the entire work seems intended to enshrine a courtly theory of the Constitution, to exalt the prerogatives of the Crown, to debase the position of the Cabinet, and to familiarise us with the interference of an autocratic will in the counsels of men who have hitherto been regarded as responsible not to the Queen but to the Nation. It is commonly supposed that while the Queen reigns and all the acts of the Government are done in her name, the responsible business of Government, as regards both foreign and domestic affairs, is done by the dozen or fifteen statesmen whom the Queen selects as her Ministers from out of the ranks of the party which commands a majority in the House of Commons. We are under the impression that these statesmen meet together in perfect freedom, with minds unmolested and

undisturbed by any outside influence, and determine to the best of their ability what course shall be adopted in the management of national affairs. We call them the Advisers of the Queen. We take it for granted that the Queen does not advise herself, that she has no advisers except those supplied to her by Parliament, and that she never hesitates to adopt the conclusions presented to her on their authority as if they were her own. We exult in this arrangement as embodying the perfection of popular government, and we boast of the advantage it gives us of having our national policy decided, not by hereditary brains, which may be wise or foolish, as accident determines, but by the select men of the nation, while it raises the Crown far above the strife of contending parties, exempts it from criticism, and enables us to render to it the homage of an ungrudging, unstinted, and unwavering loyalty. Very different from this is the theory of government presented to us in the biography of the Prince Consort. From the point of view at which it places us, Parliament seems to be lost sight of and as far as possible ignored. Whenever that body forces itself upon the recognition of the superior powers, it appears to be looked upon as an element of disturbance, thrust by some ill-chance into the midst of what would otherwise be a well-ordered mechanism. Compliments are occasionally paid to it when it shows itself tractable, but to the calm eye of courtly reason it appears to be for the most part a miscellaneous assortment of factions and follies, a hindrance rather than a help to good government. This estimate of Parliament seems to determine the relations between the

Cabinet and the Crown. The Cabinet are not the Queen's Advisers so much as the Queen's Ministers, whose business is not to tell her what to do, but to do what they are told. They are her advisers to the extent that, when they have finally and irrevocably made up their minds, the Queen accepts their decision, and it will be admitted at once that she could do no less without determining to rule despotically, an eventuality for which as yet we are not quite prepared. But, short of rejecting the advice of the Cabinet when finally offered, there is no amount of interference with the Cabinet which is not assumed in the theory we are considering to be perfectly constitutional. During the period to which the Prince Consort's biography relates, "the Queen and the Prince" seem to have claimed the foreign department as their own peculiar sphere. So long as Lord Palmerston held the seals they could not obtain that large control over it to which they deemed themselves entitled, and there can be no doubt that, to use a vulgar phrase, they made the place too hot for him. Lord John Russell, who was then at the head of the Cabinet, played an undignified part between an exacting master and mistress on the one hand and a powerful and impetuous colleague on the other, but in the end he conformed to the wishes of the Court. The dispute was raised upon technical grounds. The Queen—that is, the Prince—insisted upon having the foreign despatches sent to her as soon as they arrived, and upon having every return despatch submitted to her perusal in time to allow of its contents being maturely considered. Of course consideration would be useless unless

changes were to be made in the words, and sometimes in the principles, of the despatch. As often as this was deemed necessary there would be a long argumentation between the Queen and the Prince and the Foreign Minister, with Lord John Russell as mediator. Lord Palmerston submitted that he had no leisure for such protracted discussions over every separate despatch, and that if this additional service was to be exacted of him he would have to abandon his parliamentary duties ; but the sting of the dispute was that the Prince claimed to be the censor of his despatches, while Lord Palmerston well knew that the Prince had an adviser in Baron Stockmar, the veteran medico-statesman at Coburg, whom he consulted on all occasions, and to whom he paid infinitely more deference than to the constitutional advisers of the Crown. I was no admirer of Lord Palmerston's, but he was the Foreign Minister of England, he was a man of long experience and of consummate ability, he enjoyed the unbounded confidence of the majority of his countrymen, and much that is said of him in this biography stirs my blood. After the charge brought against him in 1850 of having acted disrespectfully to the Queen, he sought an interview with the Prince Consort and told him that the charge was "an imputation on his honour as a gentleman." The Prince Consort enshrines in one of his Memoranda the precious fact that Lord Palmerston "was very much agitated, shook, and had tears in his eyes," but the Prince was equal to the occasion, and gave him another lecture. "I spoke," so runs the Memorandum, "to Lord John Russell the following day of our interview, and

told him how low and agitated I had found Lord Palmerston, almost to make me pity him. Lord John answered"—O Lord John! Lord John!—"that he thought what had passed had done a great deal of good." In reading the story of the Prince Consort's interference with the machinery of the Government, as told in these volumes, I am amazed at the forbearance of our public men. I wonder that one Cabinet after another did not fling up their places in disgust, and bid "the Queen and the Prince" conduct the affairs of the country themselves. Bothered with long-winded Memoranda, and badgered with letters of expostulation, their lives must at times have been a torment to them. As if the burdensome work of their departments was not enough, with the immense addition of their parliamentary duties, they had day by day to listen, with a deference and a civility which I trust were always sincere, to the encyclopædic dissertations of an irresponsible personage, and thus had their official toils doubled on the side where it was supposed they were entirely free. The indulgence in Cabinet favouritisms and dislikes was carried to a wonderful pitch during the Ministries of Lord John Russell and the Earl of Aberdeen. The Crown did not hesitate to take sides, and to let the weight of its preferences and aversions be fully felt. The personal influence of the Crown in foreign politics is kept incessantly before us as an ordinary and legitimate fact. The quality of a policy is determined by the effect it will have upon the personal relations of the Queen and the other Potentates of Europe. By the Queen we are probably intended to understand the country, with whose honour and renown

she regards herself as identified; but, if so, it would have been wiser to make the distinction apparent in the use of suitable phraseology. Mr. Theodore Martin puts a serious strain upon our patriotic sensibilities. It is not his fault. He deals with documents in the Prince's handwriting, and his discretion is not unlimited. It jars upon a pardonable self-respect to find some depreciatory estimate attached to almost every English statesman whose name figures in the narrative, and to listen to those outpourings of heart to the unapproachable Stockmar in which all our national foibles and constitutional delinquencies are set off with ironical epithets. With Stockmar the Queen is simply "Victoria," the dread attributes of "the Sovereign"—a title which is constitutionally inaccurate, and which Mr. Theodore Martin overdoes—are reserved for us. Baron Stockmar is their unfailing Mentor, telling them how to think and what to say and how to act on all occasions, from the most august to the most trivial. So far as he is known to us he reaches his climax in a paper described by Mr. Theodore Martin in terms of reverent eulogy, but which it is fearful and wonderful to read. Its object is to point out and accurately define the constitutional position and prerogatives of a Queen of England and a Prince Consort. As a measure of his sagacity it is sufficient to say that he lays it down as axiomatic that the Queen is the Permanent Premier, taking rank above the "Temporary Head of the Cabinet;" that she has a right to be the Permanent President of Her Ministerial Council, entitled as such to take part in the initiation and maturing of Government measures. He also

thinks that the Whigs—men of the stamp of Lord Aberdeen—are consciously or unconsciously preparing the way for a Republic, and that the personal popularity of the Queen should be developed as a counterpoise to the Democratic development of the House of Commons. From such hints my readers may frame their own idea of this most kind, eccentric, infallible, and unfathomable German, who for twenty years had no small share in governing us. Such is the Constitution, according to the enormous Court Circular of which three volumes are already issued. The mischief is that the Prince Consort's creation survives him, that we are living under it to-day, and that, unless corrected and re-adjusted by an outburst of public spirit and the self-assertion of our public men, it may be passed on to our children, surrounded by a halo of biographical authority, till a day may come when the most momentous questions, affecting the honour and the destinies of the nation, may be settled at a morning call between some future Emperor and his Grand Vizier.




THE CROWN AND THE CABINET.

No. III.

IN the remarkable book to which I have called attention in two previous letters special prominence is given to the part which the Head of the State is presumed to be entitled to play in the guidance of foreign affairs. We are told, for example, in reference to the quarrel with Lord Palmerston in 1850, that "there was no part of her duties as a Sovereign which the Queen, in common with the Prince, considered more to demand her constant supervision than the communications with Foreign Powers through our representatives abroad." Again, further on, we read that, "involving as they do vital questions of peace and war, our foreign relations have always been regarded as demanding in an especial degree the attention of the Sovereign." A number of considerations are adduced to show why this should be so, the final one being that while the Queen's "first thought is to keep her Empire safe, honoured, and respected," she "is bound to maintain at all times a frank and dignified courtesy towards other Sovereigns and their Governments." "For this reason it is," so ends the argument, "that it has always been a prominent function of the Crown to watch closely and continuously the state of our foreign relations, and to keep itself fully advised of the policy of the Government as

bearing upon them in every essential detail." Apart from these formal statements, there are numberless remarks scattered through the book which enforce and amplify the same conclusions. I do not think it is too much to say that we are left, and probably meant, to gather from them that, in regard to foreign affairs, the Queen is more competent to give than to receive advice, and that, though the usages of the Constitution must of course be adhered to, the First Minister will almost always act wisely in allowing his foreign policy to be largely influenced by the suggestions of the Crown. Of course, there can never be too much of good counsel, from what quarter soever it may come, and it is possible to imagine that a Prime Minister might derive considerable advantage from being obliged to listen to the arguments of any impartial and competently instructed person before making a new move, whether in home or in foreign politics. At the same time the subject provokes comment, and I wish, therefore, to make it the foundation of a few questions, as, for example, how is it that the functions of the Crown are supposed to stand in some special relation to foreign affairs; is the intervention of the Crown in such affairs likely on the whole to be useful or pernicious; and what are the safeguards we possess against the allowing of unwise counsels to prevail? As to the first of these questions there will not, I suppose, be much difference of opinion. The special functions claimed for the Crown in relation to foreign politics are a survival of a former age, when the monarch had a far larger share of direct power in most things than he has now. The Plantagenets, the Tudors, and

the Stuarts asserted their right to an effective control over domestic legislation, and they generally had their way, though with many fluctuations of fortune, which cost some of them their thrones, and brought one to the block. In domestic matters the people knew their own interests and their own minds, and they finally made good their determination to be governed as the majority of the nation thought best. But the people knew less of foreign affairs, and for a good reason. They were carried on behind a screen, they were conducted by despatches, which in those days seldom saw the light, and they had their incidence on the governments of foreign countries who observed the same silence as our own, and probably gave no answer at all till it was given in the thunder-claps of war. Hence in this department the Sovereign continued to exercise as much power as his Ministers would let him have, and they often let him have a great deal—a great deal too much for the good of the country. This continuing claim was strengthened by historical accidents. The first king who ascended the throne on the basis of a parliamentary settlement was already committed to a struggle against the power of France, wielded by Louis XIV. He had all the threads of policy at his fingers' ends, and was allowed to be his own Foreign Minister. The struggle in which he involved us—glorious in some respects, and still glowing with the disastrous effulgence of Blenheim and Ramillies—lasted till the accession of the House of Hanover, when a new tie was established with the Continent, which continued unbroken till Queen Victoria ascended the throne. Our monarchs were




not only Kings of England, but Electors, and, since 1815, Kings of Hanover. It was a personal tie, attached to the monarch alone; it was one in which he was supremely interested, and it would have been hardly in keeping with human nature if he had not done his utmost to make his power and influence as King of England conducive to his continental interests. Thus, from the Revolution down to 1837, there was a constant reason why "our foreign relations have always been regarded as demanding, in an especial degree, the attention of the Sovereign;" but happily that reason has ceased to exist, thanks first to the descent of the Hanoverian Crown in the male line, and next to the absorption of Hanover itself in the territories of the King of Prussia. Hence there seems now to be less justification than ever for the theory which would make of foreign affairs an exception to all the other affairs of the nation, and withdraw them to any extent whatever from the sole control of the Ministers to whom Parliament entrusts the duties of government. There are no doubt occasions on which it is easy to suppose that the suggestions of the Crown, or, indeed, the suggestions of any impartial and competent adviser, might be eminently useful, but all would depend upon whether the adviser were impartial and competent. He might be neither, and in that case his advice would be none the better, though it might well be more dangerous, for being backed up by authority and by an untold power of making things unpleasant for the Minister who dared to set it at naught. The advice of the Crown might be usefully permitted if we could feel sure that it would never be taken for

more than it deserved, but suggestions on Royal lips have a singular capacity for being listened to as commands. The danger we are most exposed to is not that of having weak Premiers. Men who have fought their way to that high rank through the contentions of English politics are almost sure to be strong men. But, though strong, they may be supple. They may do from calculating baseness, or from a frivolous ambition, or from a servile loyalty, what other men would do from weakness. Strafford was strong enough, but he was the minion of a despot's wishes, and the arts by which he sought to aggrandise the Crown destroyed it. Since the only means we have of calling the Sovereign to account are such as we should most unwillingly employ, and since the Crown is too powerful to be trusted in a private colloquy with statesmen, it is best that it should be silent, except on those occasions when it acts ministerially as the organ of the nation in transferring power from one set of Ministers to another. These we know and can deal with, but the Crown we only know as the ceremonial device on the Great Seal by which the nation's resolves are attested, and the moment we are forced to know it in any other capacity danger commences for one party, though hardly for both. I have said that the only conditions on which counsel in any case should be tendered or accepted are that the counsellor is both competent and impartial. Apply these tests to the Crown. Apart from his constitutional advisers, the Sovereign is but one person. He carries but one head, and that head may be very small and very weak. It is not necessary to flatter the present

occupant of the throne. We know her great and sterling qualities. We have unbounded confidence in the sincerity of her patriotism. We have a real affection for her. But, with all the strength of her endowments and the rectitude of her intentions, she would have a right to despise us if we professed to believe that she was raised above the influences which often darken and distract the judgments of mankind. Even if we could bring ourselves to regard the Queen as approximately infallible, we cannot profess with Bourdaloue that royalty is an exception to the rule that men are mortal. She will not live for ever, and a usage which may be harmless in her hands might be confusion and ruin in the hands of her successors. For this reason among others personal rule is inadmissible in any degree and in any form. We cannot consent to be ruled by any person whom we cannot displace if he rules us badly. To provide against the chance that hereditary descent may occasionally give us a fool for a Sovereign, our forefathers have devised the mechanism of responsible government. It is agreed that the nation shall choose the Parliament, that the Parliament shall choose the Cabinet, and that the Cabinet shall govern the realm, subject to the penalty of dismissal if they do their work inefficiently, or if they adopt a policy of which the nation does not approve. The greater the importance we assign to any branch of the nation's affairs the more imperative is the necessity that it shall be dealt with by Ministers alone, and that no disturbing element shall be thrown into their deliberations from a quarter too high for us to reach. The supreme importance of foreign affairs is

only another reason why the Crown should stand aloof from them and leave them in the hands of the men who, whatever risks they may choose to adventure with the Sovereign, are delegated by the nation to do the work, and are held responsible, even to the length of impeachment, for the manner in which they do it. As between the competence of the Sovereign and the competence of fifteen of the pick of England's statesmen to arrive at sound views on questions of foreign policy, there can be no doubt in the minds of any who do not believe, with the Anglican divines at the Hampton Court Conference, that Kings speak by the impulse of the Holy Ghost. How is it with the test of impartiality? Mr. Theodore Martin says that the Queen personifies the majesty of the country. This personification is a perilous process. It is apt to be misread in the consciousness of the personator. What the Sovereign takes to be the majesty of the nation may be only an amplification of himself, an exaggerated sense of his own pretensions and prerogatives; and history is little more than one long and sad narrative of the evils mankind have suffered from these artificially distended personalities. Louis XIV. did more than pretend to personify the majesty of the nation; he identified himself with the nation. *L'état c'est moi*. This is a more thorough carrying out of the personifying process than any to which an English Sovereign could pretend, and it ought, on Mr. Theodore Martin's argument, to furnish a still stronger guarantee that he could do nothing without the best intentions, and nothing which would not redound to his country's good. Yet Louis XIV. is not reputed to have



ruled beneficently. He persisted in knowing more of foreign affairs than his Ministers, and he carried his theory into practice, but he sacrificed the lives of a million of Frenchmen, he beggared France, he sent his descendant to the scaffold, and he laid the train for a convulsion which shook the world. When foreign affairs are in question the Queen of England is more likely to be influenced by personal prepossessions, by personal likes and dislikes, than any other man or woman in the realm. She may resist them successfully, and I am sure she does her best to achieve the victory, and never decides till she believes she has grasped the palm of conquest over herself; but that her impartiality is exposed to peculiar dangers, and that on this score she is presumably less to be trusted than any single member of her Cabinet, are facts which it would be a denial of human nature to dispute. The reigning dynasties of Europe are so related by intermarriage that they form one large family. The Queen has Royal or Imperial connections at Brussels, Copenhagen, Berlin, St. Petersburg, and Lisbon, not to speak of the smaller German potentates, and of an offshoot across the Atlantic. The consequence is that almost every international question which arises is apt to take a personal form, and to ally itself with family susceptibilities. That the personality of the Sovereign endures through all the changes of Parliaments and Cabinets and the greater changes which pass over the world, is a distinct source of danger. Old contests and defeats which the nation has agreed to forget, or which a new generation despises, may live on in their pristine greenness within the

Sovereign's breast, and overshadow the interests of to-day. We have an illustration too near at hand. Should it have happened, as the Prince Consort's Biography renders but too probable, that the Queen has taken up decided ground against Russia on the Eastern Question, we may fairly suspect that we see in such an attitude a mixing up of politics with the touching homage of a lifetime to the man she loved. The sentiment, considered as an attribute of personal affection, is worthy of respect and reverence, but as an element of our foreign policy it cannot be too severely reprehended nor too decisively abjured. What we see going on in the East is undoubtedly a reversal of the policy which the Prince adopted with passionate vehemence, and an overthrowing of the fabric which he helped to build up; but why should we adhere to a blunder merely for the sake of maintaining intact the illusion that he and Baron Stockmar were the wisest as well as the best of men? In conclusion, let me say that these remarks have not been volunteered. They are made in reply to a challenge. For when, in however mild a form, and though in reference only to a part of the national affairs, the heresy of personal rule is proclaimed from the steps of the Throne, it is necessary to speak out, lest silence perchance should be construed into assent.




THE CROWN AND THE CABINET.

No. IV.


PERHAPS I ought to crave the indulgence of my readers for asking them to accompany me on a fourth excursion into the singularly picturesque and auriferous region which has been opened up to us by Mr. Theodore Martin. My excuse must be that one does not get hold of such a book every day, and that, like a Pennsylvanian explorer who has "struck ile," I am loath to abandon my "find" till its treasures are exhausted. But I have to allege another reason which, though not more honest than the one just given, will probably be more presentable in those loyal and polished circles to which, as I am assured, my lucubrations find access. The book gives us a great deal of information on various recondite and mysterious matters connected with the actual working of the Constitution, and more especially—for that is the subject I have in view—with the relations between the Cabinet and the Crown. The Cabinet may be said in one respect to resemble the Moon. We have been gazing upon it from childhood, yet we have never seen but one side. Now, that which no earthly power can do for us as regards the Moon, this book of Mr. Theodore

Martin's does for us as regards the Cabinet, that is, whereas heretofore we have only seen that side of it which is turned towards Parliament and the nation, in this book we are carried round so as to see the other side of it which is turned towards the Crown. It is a certain inference that every line of the book was perused by the Queen before it was given to the public. It is, in fact, an inspired book, the inspiration ranging from mere "permission" at one end of the inspirational scale to "suggestion" at the other, but implying all through an authoritative wish to make us acquainted with certain facts which, but for Her Majesty's gracious communicativeness, must have remained as completely hidden from us in the future as they have been in the past. Now, whatever has thus been written for us by Her Majesty's permission or command is doubtless written for our learning, and as my loyalty prompts me to mark, learn, and inwardly digest every bit of it, if my readers are as loyal as myself they will certainly do the same. Now then to our task, which is that of discoverers on the Crown side of the Cabinet, and here are some of the phenomena which meet our view. In the first place the Queen seems to regard the Prime Minister as the titular chief of the Cabinet, but not as the chief of it in such a sense that his responsibility shelters the proceedings of his colleagues. She deems herself entitled to criticise and censure the official conduct of any member of the Cabinet, to lay down rules for his guidance, to insist upon their being observed, and to dismiss him if his insubordination grows incorrigible. The doctrine seems to be, not that his dismissal must




necessarily go through the hands of the Premier, but that the Queen can lay her sceptre, like the long osier rod of ancient schoolmistresses, upon the back of the individual offender, and tell him to go. The authority of the House of Commons seems to be as little regarded as the supremacy of the Premier. The offending Minister may discharge his duties to the entire satisfaction of that assembly, and may enjoy the plenary confidence of his countrymen, but if he does not comply with certain disciplinary rules the Queen can dismiss him whenever she chooses. This is the doctrine laid down in the classical case of Lord Palmerston, and the attempt to apply it led to some results which may be called grotesque. Lord John Russell was the Premier. He did not like to do what the Queen evidently desired and expected, but he sympathised with her complaints, deplored his colleague's wilfulness, and gushed over occasionally in regretful tears. This state of things lasted for several years. Lord John went on whining, and Palmerston went on sinning, till at last the "Queen and Prince" were furious, and Palmerston was kicked out, a compliment which he repaid within a couple of months by kicking out Lord John on the Militia Bill. Thus it seems Sovereign and Premier can take sides against one or more of the Premier's colleagues. In this way the Cabinet may be split into opposite factions, one enjoying the Sovereign's favour and the other not, while all confidence is lost. Clearly we have here an instance of the assumption by the Sovereign of pretensions which she has not the power to make good, for though it is easy to say in theory that she has

the right to dismiss this or the other Minister, the Minister or Ministers in question may be so powerful that they cannot be dismissed without upsetting the Cabinet, and bringing the Crown into collision with the House of Commons. But nothing is more mischievous than pretension without power. It can do no good, while it may do a world of harm, leading to jealousies, inconsistencies, and Ministerial disorganisation, the results of which will be simply bewildering to outside observers who know nothing of the cause. It appears also that the Queen expects all important matters to be submitted to her while they are still "intact;" that is, before the Cabinet have arrived at any decision upon them, if not before they are seriously discussed, so that she may have an opportunity of making known her views respecting them. This claim leads to practical consequences of considerable importance. There is first of all the necessity for discussing questions with a personage outside the Cabinet, who has no responsibility whatever, and is not supposed to interfere at all. There is next the consequent necessity of arguing all questions down to the capacity of a single intellect, which, however large and vivacious, cannot be regarded as commensurate with the combined capacity of fifteen picked men. Moreover, the whole of the Cabinet cannot engage in a discussion with the Crown. This must be done by one or two, and this obviously favours the innovation of a Cabinet within the Cabinet, of a few prominent members undertaking to settle everything of importance after a conference with the Crown, while their colleagues—comprising by far the larger number—have either to submit or make a fight of it. But




it is not so easy to fight against an august and possibly obstinate influence which has already mastered the two or three leading spirits who are admitted to interviews with Egeria. The dissidents may become, or may fear that they will become, marked men, and so be deterred from acting according to their real convictions. In this way the responsibility of the Cabinet may be frittered to nothing, and the imposing machinery of Constitutional Government become a mere modification of personal rule. Another fact which appears to be put forward with studied prominence in Mr. Theodore Martin's pages is that, when important questions were coming on for discussion in the Cabinet, the Queen and Prince took the earliest opportunity of communicating to the Premier their own views. The effect of doing so, whether intentional or not, was in some sense to preoccupy the ground by presenting a particular line of policy as a candidate for adoption backed with the approval and the moral influence of the Court. We have just seen the Queen complaining that questions were not submitted to her "intact;" but if, as was often the case after this complaint was made, they were submitted to her "intact," they did not come back to the Cabinet "intact;" on the contrary, they came back well handled, and often saddled with an opinion which, as the Queen's opinion, must necessarily have run the risk of being taken for more than its real worth. We may venture to imagine what would take place at a Cabinet Council on such occasions. The Minister, generally the Premier, who was charged with the Queen's letter or memorandum, would of course read it, setting forth the

view she took of the emergency, and what in her opinion ought to be done. Without supposing that the Ministers were consciously willing to sacrifice their own judgment, I think it may be taken for granted that there would be a general desire to gratify the Queen as far as possible, and that this desire might occasionally be strong enough to warp their decision in a wrong direction. If opposition became necessary, it must sometimes have been a question, Who shall bell the cat? Who shall speak first? Who shall give the first signal for a rebuff which may not be taken graciously? Men are weak, and in councils carried on under the shadow of a superior power the weakest among them, by a servile use of reason, by special pleading of which the motive is not avowed, though it is easily conjecturable in the right quarter, may sometimes cower and silence the rest. Those who remember the Crimean War may also perhaps remember that the immediate cause of it, so far as we are concerned, was the interpretation attached by Russia to the Vienna Note, after it had been accepted by all parties except Turkey. A despatch from Count Nesselrode made it clear that Russia understood the Note in the sense which the Turkish Government alleged that it was capable of bearing—a sense different from that in which it had been accepted by the other Powers. This difficulty might have been overcome by further negotiation, but the cry went forth that Russia had tried to deceive us, and the indignation roused by Russia's supposed treachery made war inevitable. We learn now that this was the Court view. As soon as Count Nesselrode's despatch was made



known we are told that "not an hour was lost" by the Queen and Prince "in making Lord Aberdeen aware of their views as to the course now to be adopted." It is no surprise to be told that their views prevailed, and that the arguments which dropped from the Royal pen were "adopted and carried out in detail by Lord Clarendon in a despatch to Sir George Hamilton Seymour, at St. Petersburg, on the 30th of September." In a letter to Baron Stockmar, two days after this communication of the Queen's views to the Cabinet, the Prince, referring to Russia, speaks of "the cloven foot," of the "cat let out of the bag," of the Vienna Note as "a trap" set for us, with the connivance of Austria, and of the folly of acting as if our antagonists were "honourable men." This was the cue given at once to the Cabinet, to the nation, and to as many as Baron Stockmar chose to acquaint with the "views" of the British Court. The change in the temper of the nation was as sudden as a transformation scene, and we were irrevocably committed to war. All through the war, both in diplomacy and in matters of administration, the initiative seems generally to have been seized by the Queen and Prince. Their advice was communicated sometimes by memorandums and sometimes in private conferences; sometimes through the Premier, and sometimes to the Minister to whose Department the advice referred. The scheme for enlisting foreigners, which got us into such a scrape with the United States, was of the Prince's suggesting. The Cabinet eyed it with suspicion at first, but ended by adopting it, as is duly noted to the Prince's glorification. In sending his recommendations to

the Secretary at War the Prince uses language very much like that which an official would use in writing to his subordinate. The order is conveyed, and no doubt seems to be entertained that it will not be promptly executed. I say nothing of the letters, full of politics, which the Queen, often in drafts drawn up by the Prince, was in the habit of writing to foreign potentates, though they must necessarily have coloured the view which continental Governments took of our national policy, and tended to create a state of things which must have pressed upon the freedom of the Cabinet. I have already said that in dealing with the Cabinet the Queen set up pretensions which she could not always enforce. It is also true that in dealing with public business she identified her prerogative with duties which she could not possibly discharge. In a letter to the Prince in June, 1849, Lord John Russell mentioned on the authority of Lord Palmerston that during the year 1848 no less than 28,000 despatches were received or sent out at the Foreign Office. "These 28,000 despatches," the Prince says in his reply, "Lord Palmerston must recollect came to you and to the Queen as well as to himself." This "Lord Palmerston must recollect" seems to cover some squabble with the Minister, and sounds rather pettish and insolent. But what could the Queen do with these despatches? They amount to seventy-six per day all the year round, Sundays and holidays included. Is it possible that they can be all read and studied? If not, then the pretence that they are does harm, being calculated to embarrass business and divide responsibility. I have now gone through the principal facts



disclosed in this book which bear upon the relations between the Crown and the Cabinet, and I think it is not easy to avoid the conclusion that they bring to light a serious and unsuspected evil. It seems to me that the relations shown to have subsisted between them while the Prince Consort lived, and which presumably continue still, are adapted to break up the solidarity of the Cabinet; to foment division, to enkindle jealousies, to set up a Court policy in rivalry with a Parliamentary policy; to subject the deliberations of Ministers to undue pressure; to warp their views in directions not dictated by their own convictions; to lay the business of the country open to influences which the Constitution ignores, and of which the people know nothing, at the risk of fluctuations and inconsistencies which cannot but be detrimental to the public service; in short, to naturalise amongst us the continental notion of Constitutional Government, according to which the Ministers are the servants of the Crown rather than the servants of the nation, the supple instruments of the Sovereign rather than the responsible executors of the will of Parliament. We have not yet reached the abyss, but, on the testimony of this book, we have been, and perhaps are still, far down on the incline which leads to it. Our recent experience of Cabinet utterances and Cabinet doings is not reassuring, and with the light now afforded they are capable of an explanation which I would rather not give to them. For the last six months the Cabinet has been a puzzle to us. It has seemed to have two voices and two sets of hands. Our diplomacy has appeared to have a will of its own, or be inspired from

unknown sources. Our Plenipotentiary at Constantinople said one thing, and our Ambassador another, and, unless appearances wholly deceive us, the Foreign Office has been persistently thwarted by its own servants. The spectacle is not at all surprising if the remarks I have made are true, but I prefer to leave their application with my readers.




THE CROWN AND THE CABINET.

No. V.

THIS will be my last letter on the important questions which have been forced upon the attention of the public by the Biography of the Prince Consort, and I purpose devoting it to an examination of the "vigorous Constitutional essay," as Mr. Theodore Martin calls it, which we have from the pen of Baron Stockmar towards the end of the second volume. I have already referred to it once or twice, and I intended to deal with it at greater length before now, but other matters were too absorbing. The result is that I am able to give the Baron a letter all to himself. This is not intended as compliment, though if it were I can honestly say that the object would be worthy of it. Baron Stockmar was in many respects a remarkable man. He was born at Coburg in 1787, a subject of the petty dynasty whose offshoots now fill so many thrones. In 1816 he came to this country in the suite of Prince Leopold, better known to us afterwards as King of the Belgians and the uncle of Queen Victoria, but our grandfathers knew him as the husband of the Princess Charlotte, sole child of George IV. and heiress presumptive to the throne. Baron Stockmar was Prince Leopold's private physician, but he was an accomplished and thoughtful

man, well versed in the public affairs of Europe, and he became by degrees his master's political factotum. When Prince Leopold became King of the Belgians the Baron retired to Coburg. He was probably one of those old servants whose salaries the King of the Belgians paid out of the allowance secured to him on his marriage with the Princess Charlotte, before paying the balance back to the English Exchequer, and in this state of honoured and pensioned dependence he lived to the end of his days. When the King of the Belgians planned a marriage between his niece the Princess Victoria and his nephew the second son of the Duke of Coburg, he took Baron Stockmar into his counsels. When in a few years the Princess had become Queen, and the great affair was ripening, Prince Albert naturally turned for advice to his uncle's confidential friend, who was living under the shadow of his father's castle. After the marriage had taken place the Baron consented to spend a year in this country in order to "coach" the Prince into the duties of his new position, a visit which proved to be the first of a legion. Almost every year the Baron was ensconced at Windsor or Balmoral for months together. He saw but little company, for he had a mission to fulfil. He had his private room, a sort of innermost shrine of the Constitution, a domestic chapel of Edward the Confessor, ready to give forth the oracle as it was wanted, day by day and hour by hour. As often as he went back to Coburg correspondence took the place of oral consultation. The Prince was always writing to him. All the gaiety of heart which the Prince could spare from his domestic circle



broke out in his letters to the Baron. I think it likely that if he had treated the English gentlemen whom he met on business or in society with one-half of the gushing amiability which he lavished on the German recluse he would have been the most popular man in the realm, instead of being, as he was, intensely disliked. I have said enough in my previous letters to show how the Prince Consort, acting in the name of the Queen, sought to influence, and succeeded in influencing, the deliberations of the Cabinet, the administration of affairs, and the foreign policy of the country. Mr. Theodore Martin would have us believe that the statesmen upon whom he thrust his advice desired nothing better than to be guided by his sagacity, and many expressions which in private life would merely be reckoned civil are gravely recorded in these columns as the outpouring of solemn conviction. Flattery, alas, is the bane of princes; for instead of passing it, as other men would do, through a filter of common sense, their inordinate self-esteem induces them to swallow the draught entire, as if every word of it were gospel truth. There can, I think, be no doubt that the Prince's habitual interference in State affairs was the cause of much annoyance, which reacted periodically upon himself. For a time the storm slept, but it broke at last with all the greater violence. If the Prince had acted on his own judgment his incessant meddlesomeness would have been bad enough, but it was known that the position he claimed for himself was precisely that which Baron Stockmar had told him he ought to hold, and that on every important question that arose he was merely the Baron's echo. To

a man of Lord Palmerston's high temper it was positively unendurable that a pensioned dependent of the King of the Belgians should be the ultimate referee on all matters at issue between the Cabinet and the Crown of England, and that the sentence to be passed upon his own despatches would probably be settled after an appeal to Coburg. The Baron set himself up as a high authority on the British Constitution, but he laboured under two disqualifications. In the first place, he knew it only theoretically, and he brought to his theoretic study of it all the prepossessions of his German training. In the next place, the whole of his public life was passed in a sort of domestic servitude. He never rose above the rank of a retainer, and his chief aim in life was to give such advice as would be serviceable to his employers. He attached himself to them no doubt with utter fidelity, and in this sense was probably one of the most disinterested men living. As a natural result of such circumstances and of such a habit of mind, he no doubt sincerely believed that in promoting the personal interests of those he served he was also doing his best to promote the welfare and glory of the lands they ruled ; but this is a sequence in which we are not obliged to follow him. Such being his presumable fitness for instructing the Queen and Prince in their constitutional duties, let us look at the advice he gave. This is a very practical matter, for it is probable that his illustrious scholars believed every word he uttered, and that Baron Stockmar's theory of the Constitution inspires and guides, to the utmost possible extent, the conduct of English Royalty to-day. The advice was asked for when

the Prince was in a peck of troubles, all of his own brewing. The fact of his interference in public affairs was no secret, and when the Crimean campaign went wrong, the blame was laid upon his shoulders. If our soldiers were dying of starvation it was because there was a traitor behind the scenes, some dynastic busybody who wanted to make everything miscarry, and there could be no doubt who the traitor was. Writing to Stockmar the Prince says, "My unconstitutional position, correspondence with foreign Courts, dislike to Palmerston, relationship to the Orleans family, interference with the army, &c., are depicted as the cause of the decline of the State, the Constitution, and the nation, and indeed the stupidest trash is babbled to the public, so stupid that, as they say in Coburg, you would not give it to the pigs to litter in." This is no exaggeration of the ferment which prevailed. It was even rumoured that the Prince had been arrested on a charge of high treason and committed to the Tower. What did Baron Stockmar say to him in such circumstances? Did he tell him to mind his own business, and let the nation henceforth govern itself through the Ministers responsible to Parliament? Far otherwise. He begins by disparaging the Premier. Lord Aberdeen, he observes, was a good man; but his friend Nicholas had been his worst enemy. He was placed in a position for which his intellectual resources were insufficient, or, as the Baron puts it, "he had not the productive energy which serves to develop a great luminous thought." Now this is just what the Baron could do, and he hastened to supply the Premier's defect. He tells the Prince that he could not

marry the Queen of England "without meaning and without being bound to become a political soldier." This is the keynote of a disquisition which fills a dozen pages. The Prince, as the Queen's *alter ego*, is bound to become a fighting politician. He has been wounded in the fight, but he must take courage and renew the struggle. The Baron says that England, since 1830 (the eve of the passing of the Reform Bill), has been "constantly in danger of becoming a pure Ministerial Government." "In theory," says he, "one of the first duties of Ministers is to defend the prerogatives of the Crown;" but if they fail herein, "are we," asks the Baron, "to allow crack-brained sciolists in politics to deny to the Crown the right and power to keep Ministers to the fulfilment of their duty, and not to suffer the Crown, and with it the entire commonweal, to come to destruction?" For this purpose the Prince is to be a "political soldier." It is his business to fight for the prerogatives of the Crown with the Queen's Ministers. If he were not there to do the fighting, the Queen herself would have to fight, but he can spare her the trouble. The Ministers cannot be trusted to defend the Royal prerogative. Whenever they essay to do so, they show "nothing but lukewarmness, timidity, and, above all, that maladroitness which comes from want of goodwill." In other words, in the Baron's opinion, the Queen's Ministers were a pack of traitors. The old Tories, says the Baron, who managed the Government from 1780 to 1830, had an interest in doing their duty, and did it pretty successfully; but, as a race, "these Tories have died out, and the race which in the present day (1854) bears the name are simply

degenerate bastards." Of the Whigs the Baron thought still worse. He tells the Prince that they "stand in the same relation to the throne as the wolf does to the lamb." These Whigs, he says, "must have a natural inclination to push to extremes the constitutional fiction—which, although undoubtedly of old standing, is fraught with danger—that it is unconstitutional to introduce and make use of the name and person of the irresponsible Sovereign in the public debates in matters bearing on the Constitution." This, however, the English Crown must not permit; that is, the Sovereign must insist upon being made a party in such matters, or else the nation will come to think "that the King in the view of the law is nothing but a mandarin figure, which has to nod its head in assent or shake it in denial, as the Minister pleases." Now, in order to counteract the influence of "politicians of the Aberdeen school," that is, moderate Tories, "who treat the existing Constitution merely as a bridge to a Republic," Baron Stockmar tells the Prince it is of extreme importance that the above-named "fiction" should be "countenanced only provisionally," and that "no opportunity should be let slip of vindicating the legitimate position of the Crown." Here we see defined the nature of the contest in which the Prince is to be a "political soldier." What is the Baron's idea of the "legitimate position of the Crown?" For one thing he holds that the King of England has a right to be the "permanent President of his Ministerial Council," that is a right to preside at every meeting of the Cabinet; he has a right to take part in the initiation and the making of the

Government measures, to form an independent judgment in all matters, and to do his best to make his views prevail. The Premier, so argues the Baron, is only the head of a party. He represents only half the nation, whereas the Sovereign represents the whole. Which of the two has the greater right to paramount influence in the councils of the State? In fact, the Premier selected in conformity with the opinion of Parliament is only a nominal Premier, and only a Premier *pro tem*. The real and permanent Premier is the Sovereign, king or queen, as the case may be. Lord Palmerston, in the explanation which followed his resignation, had observed that he "conceded to the Minister (the Premier) not only the power to dismiss every member of the Cabinet, but also the right to dismiss them without any explanation of his reasons." The Baron admits this to be constitutional doctrine, but at the same time he cannot admit that this large power belongs to the Parliamentary Premier. At last he sees his way to a conclusion, and with a triumphant chuckle he tells us in what way the doctrine is true. It is not true of the Parliamentary Premier, but it is true of the Permanent Premier. The Sovereign, and the Sovereign alone, has the right to dismiss every member of the Cabinet without any explanation of his reasons. The Baron enlarges upon the constitutional advantages of the "moral purity of the Queen." Faugh! I cannot follow him. If the Queen were not morally pure she would be disgraced as a woman. The Baron's final lesson is that the popularity of the Queen must be thrown into the scale against the democratic element in the House

of Commons; and that Ministers must make it the first of their duties to serve the Crown, instead of seeking to be popular in the House of Commons, which indeed would be "the surest way to lead on monarchy imperceptibly, and this too under the Minister's own guidance, into a Republic." Here ends that part of the Baron's Memorandum which is essential to my purpose, that purpose being to set forth the theory of the Constitution which he sent to Windsor for the use of the Queen, who, by sanctioning its publication in the Prince's Biography, seems to endorse its conclusions, and to present them to us for our information. I trust I know my readers better than to insult their understandings by stooping to criticise this solemn trash. I take my place at once among the Baron's "crack-brained sciolists," and am even proud to identify myself with that "most stupid of Englishmen"—the rest of my countrymen being "stupid" only in the positive and comparative degrees—whom this political von Teufelsdrückh, this purveyor of "luminous thoughts" for the guidance of England's benighted Royalty, assumes to be incapable of denying the shallow proposition that the Premier for the time being, because he is the chief of a party, is not also the Minister of the nation. All I shall say is that if the Baron's teachings are still held orthodox at Windsor, we need not wonder at Cabinet divisions and ministerial helplessness. I desire to close this series of letters with one word of heartfelt warning. The Constitution of England is not, like the Constitutions of the United States, of Prussia, Belgium, Austria, Italy, and France, a thing written out on parchment, and defended by literal propositions that can be

construed in a Court of Law. It is largely a growth, a set of ever accumulating usages, the last of which has the effect of modifying those that have gone before, and of prevailing in their stead. This being the case the first duty of Englishmen is to guard against reactionary innovations, remembering that what they tolerate to-day will to-morrow be used against them with the force of law. The attempt of the Stuarts in the seventeenth century to revive the dormant prerogatives of the Crown provoked the bloodiest of our historic struggles. Ours is the easier task of seeing that the heritage bequeathed by our forefathers, together with the glorious additions that have since been made to it, suffer no detriment in our hands ; but it is a task which demands, among other things, unslumbering suspicion and eternal watchfulness, and, perhaps, with more immediate urgency at the present moment, self-respecting loyalty, patriotic devotion, and, if need be, a touch of rugged independence, on the part of English statesmen.



